

लाल बहादुर शास्त्री प्रशासन अकादमी  
Lal Bahadur Shastri Academy of Administration

मुसुरी  
MUSSOORIE

पुस्तकालय  
LIBRARY

अवधि संख्या

Accession No.

411 119513

वर्ग संख्या

Class No.

R  
954.035

पुस्तक संख्या

Book No.

Ind, 1930  
V.2





THE INDIAN  
ANNUAL REGISTER

July-Dec. 1930.

VOL. II.

Printed by Abinash Chandra Sarkar at the  
CLASSIC PRESS, 9/3 Rama Nath Mazumder Street  
and published by N. N. Mitra,  
28 College Street Market, Calcutta.

Issued  
from 1919 ]

THE INDIAN

[ 13th Year  
of Issue

# ANNUAL REGISTER

An Annual Digest of Public Affairs of India

Recording the Nation's Activities each year in matters Political,

Economic, Industrial, Educational, Social Etc

BEING ISSUED IN 2 SIX-MONTHLY VOLUMES.



Volume II ] July-Dec. 1930 [ Volume II

Editor:—Nripendra Nath Mitra.

ANNUAL SUBSCRIPTION PAYABLE IN ADVANCE Rs. 12 ONLY.  
VOLUMES: CLOTH BOUND Rs. 7 EACH POSTAGE EXTRA.  
FOREIGN SUBSCRIPTION PAYABLE IN ADVANCE Rs. 15 ONLY.

PUBLISHED BY

**THE ANNUAL REGISTER OFFICE**

26, COLLEGE STREET MARKET, CALCUTTA.

# THE INDIAN ANNUAL REGISTER

July-December 1930.

## TABLE OF CONTENTS.

	PAGE.
CHRONICLE OF EVENTS—JULY—DECEMBER 1930 ..	1
July 1930 ..	1
August 1930 ..	13
September 1930 ..	20
October 1930 ..	25
November 1930 ..	33
December 1930 ..	40
INDIA IN HOME POLITY—JULY—DEC. 1930 ..	49
INTRODUCTION ..	49
I. Lulls and Storms ..	49
II. Disposition of the Forces of the Movement ..	49
III. The Pilgrim's Progress ..	50
IV. The Art of Propaganda ..	51
V. Press and Platform : Their use and Abuse ..	52
VI. In the Case of India ..	53
VII. Modern Democracies : Socialism ..	53
VIII. Significance of India's Political Regeneration ..	54
IX. The Masses ..	55
X. Mass Exploitation : Oligarchies ..	56
XI. The Vicious System ..	57
XII. Social Revolution and the Modern Evil ..	58
XIII. The New Programme and the Challenge ..	59
XIV. The Merits of the Programme ..	60
XV. The New Programme to be Examined ..	61
XVI. The Risk in the New Experiment ..	62
XVII. The New India . Its Essentials and Accidents ..	63
XVIII. The Claim of Religion ..	63

XIX.	The Indian Position : How it is affected	...	64
XX.	Indian Solution	...	64
XXI.	True uplift of Man : Religion and Culture	...	65
XXII.	Indian Civilisation in Theory and in Practice	...	66
XXIII.	The Problem of Indian Degradation	...	67
XXIV.	Play of Plural Personalities	...	67
XXV.	Congress and the Indian Problem	...	68
XXVI.	Potential Violence in Autocratic Government	...	69
XXVII.	The Question Reduced to its last Elements	...	69
XXVIII.	Domestic Quarrel : Their Moral	...	71
XXIX.	Raking up of the Dying or Sleeping Communal Fires	...	72
XXX.	The Nature of Emergency Powers	...	74
XXXI.	How Ordinances tend to Work	...	75
XXXII.	The Dilemma in Work	...	76
XXXIII.	Responsibility for the Developments	...	77
XXXIV.	The Round Table Conference	...	78
XXXV.	The Indian Complex and its treatment	...	81
THE CIVIL DISOBEDIENCE MOVEMENT ..			83
THE SAPRU—JAYAKAR PEACE NEGOTIATIONS ..			83
	The Basis of the Negotiations	...	83
	Letter to the Viceroy	...	84
	The Viceroy's Reply	...	84
	Gandhiji's Note to Nehrus	...	85
	Gandhiji's Letter to Pt. Motilal	...	86
	Nehrus' Note to Gandhiji	...	86
	Pt. Jawaharlal's Letter	...	87
	Gandhiji's Note	...	88
	Congress Leaders' Demands	...	88
	Peace Makers' Letter to Congressmen	...	89
	Viceroy's Letter to Sir T. B. Saprú	...	90
	Notes of Conversations with Viceroy	...	91
	Nehrus' Final Note to Gandhiji	...	92
	Leaders' Joint Reply	...	94
THE CONGRESS REVIEW OF C. D. MOVEMENT ..			97
	In Bengal	...	98
	In the United Provinces	...	99
	In the Bombay Presidency	...	100
	In the Punjab	...	100
	In Behar	...	103
	In C. P. Marathi and Berar	...	104
	In C. P. Hindi	...	104
	In South India	...	104
	In Delhi	...	105
THE GOVERNMENT REVIEW OF C. D. MOVEMENT ..			106
	Up to 17th May 1930	...	106
	Up to 24th May ..	...	107
	Up to 31st May ..	...	109

	( vii )		PAGE.
Up to 7th June	1930	...	111
Up to 14th June	"	...	113
Up to 21st June	"	...	115
Up to 28th June	"	...	117
Up to 5th July	"	...	119
Up to 12th July	"	...	120
Up to 19th July	"	...	121
Up to 26th July	"	...	122
Up to 2nd August	"	...	124
Up to 9th August	"	...	125
Up to 16th August	"	...	126
Up to 23rd August	"	...	128
Up to 30th August	"	...	130
Up to 6th September	"	...	131
Up to 13th September	"	...	133
Up to 20th September	"	...	135
Up to 27th September	"	...	137
Up to 4th October	"	...	131
Up to 11th October	"	...	139
Up to 18th October	"	...	140
Up to 24th October	"	...	142
Up to 1st November	"	...	143
Up to 8th November	"	...	144
Up to 15th November	"	...	145
Up to 22nd November	"	...	146
Up to 29th November	"	...	147
Up to 6th December	"	...	148
Up to 12th December	"	...	148
Up to 20th December	"	...	150
Up to 27th December	"	...	151
Up to 3rd January	1931	...	152
Up to 10th January	"	...	152
Up to 17th January	"	...	152(a)
Up to 24th January	"	...	152(b)

## THE CENTRAL LEGISLATURE & PROVINCIAL COUNCILS.

THE LEGISLATIVE ASSEMBLY—JULY—DECEMBER	1930	153
Official Bills and Formal Business	...	153
Viceroy's Inaugural Address	...	154
Assembly Leaders' Manifesto	...	160
Debate on the Simon Report	...	161
Police Terrorism in Contai and Midnapur	...	165, 194
Official Bills passed	...	171
Resolution on Workmen's Accidents	...	171
" " Assam Bengal Railway	...	171
The Gains of Learning Bill	...	171
Other Non-official Bills	...	171
Beating of Congress Volunteers (Adj. Motion)	...	171
Sisgunj Gurdwara Affair	...	174
Resolution on the Dacca Disturbances	...	175

( viii )	PAGE.
Enquiry into Railway Accidents ...	183
Resolution on the Constitutional Problem ...	183
Purchase of Assam Bengal Railway ...	184
<b>THE COUNCIL OF STATE—JULY—DECEMBER 1930</b> ..	<b>188</b>
Resolution on Immediate Self-Government ...	188
"    " Transport for Cattle ...	190
"    " India and the League ...	190
The Sarda Act Amendment Bill ...	192
Official Bills and Resolutions ...	192
Hindu Gains of Learning Bill ...	193
Court Fees Amendment Bill ...	193
The Mussalman Waqf Validating Bill ...	193
<b>THE BENGAL LEGISLATIVE COUNCIL</b> ..	<b>201</b>
WINTER SESSION—5th February to 1st April 1930 ...	201
The Food Adulteration Bill ...	201
The Bengal Tenancy Bill ...	201
The Calcutta Municipal Bill ...	202
Resolution on Removal of Sex Bar ...	202
The Budget for 1930—31 ...	202
The Bengal Tenancy Bill passed ...	203
Discussion on the Budget ...	203
Voting on Budget Grants ...	203
The Bengal Criminal Law Amendment Act ...	206, 208
The Primary Education Bill ...	207
AUTUMN SESSION—11th to 26th August 1930 ...	208
Alleged Assault on Congressmen ...	208
Grant of Bengal Police ...	209
The Primary Education Bill ...	209, 214
Non-official Bills ...	211
The Simon Commission Resolution ...	212
Resolution on Immediate Dominion Status ...	212
Home Member's Defence of Police ...	212
The Bengal Criminal Law Amendment Bill ...	210
<b>THE BOMBAY LEGISLATIVE COUNCIL</b> ..	<b>215</b>
BUDGET SESSION—17th February to 20th March 1930 ...	215
The Governor's Speech ...	215
The Delhi Bomb Outrage ...	215
Budget Estimate for 1930—31 ...	216
General Discussion of Budget ...	216
The District Municipal Act Amend. Bill ...	216
The City Municipal Act Amend. Bill ...	217, 223, 225
Debate on Viceroy's Pronouncement ...	217
Voting on Budget Demands ...	218
The Civil Courts Act Amend. Bill ...	224
The Coroner's Act Amend. Bill ...	224, 226, 227
The Port Trust Act Amend. Bill ...	224
The Cotton Contracts Repeal Bill ...	224

The Improvement Trust Transfer Act Amend. Bill	...	224
The University Act Amend. Bill	...	225, 227
The General Medical Council Censured	...	225
The Prevention of Prostitution Act Amend. Bill	...	226
<b>THE JULY SESSION—7th to 17th July 1930</b>	...	226
The Local Self-Government Bill	...	226
The New Opium Bill	...	227
The Criminal Tribes Amend. Bill	...	227
Demand for Mahatma's Release	...	227
Resolution on Sholapur Riots	...	228
The Governor's Address	...	228
<b>THE MADRAS LEGISLATIVE COUNCIL</b>	..	231
<b>THE LAST SESSION—20th Jan. to 1st April 1930</b>	...	231
The Malabar Tenancy Bill	...	231, 234
The District Municipalities Act Amend. Bill	...	231
Bomb Outrage on Viceroy	...	232
The Madras Public Gaming Bill	...	232, 233
Suppression of Brothel Bill	...	232, 233
Appreciation of Viceroy's Efforts	...	232
State Loan to Industries	...	233
Budget for 1930—31	...	233
General Discussion of Budget	...	234
Voting on Budget Demands	...	235
<b>THE 4TH REFORMED COUNCIL—18th &amp; 19th November 1930</b>	...	236
Governor's opening Speech	...	237
Adjournment Motions	...	237
<b>THE U. P. LEGISLATIVE COUNCIL</b>	..	238
<b>BUDGET SESSION—19th February to 30th March 1930</b>	...	238
The Governor's Address	...	238
Prevention of Adulteration Amend. Bill	...	239, 253
Town Areas Act Amend. Bill	...	239
Resolution on Settlement Reports	...	240
Budget for 1930—31	...	240
Loan Programme of Government	...	243
Voting on Budget Demands	...	244
<b>SUMMER SESSION—9th to 15th July 1930</b>	...	252
District Boards Amend. Act	...	252
Beating of Congress Volunteers	...	252
District Boards Amend. Bill	...	253
Use of Force against Satyagrahis	...	253
<b>THE PUNJAB LEGISLATIVE COUNCIL</b>	..	256
<b>BUDGET SESSION—20th February to 21st March 1930</b>	...	256
Budget for 1930—31	...	256
Discussion on the Budget	...	257



	( x )	PAGE.
Cut in Minister's Salary	...	258
Unseating of Municipal Member	...	258
SUMMER SESSION—22nd to 26th July 1930	...	260
Land Alienation Act Amend. Bill	...	261
Gurdwara Act Amend. Bill	...	261
FOURTH COUNCIL—24th October to 8th November 1930	...	263
The Punjab Criminal Law Amend. Bill	...	263
THE B. & O. LEGISLATIVE COUNCIL	..	266
BUDGET SESSION— 7th February to 24th March 1930	...	266
Muslim Representation on Local Bodies	...	266
Finance Member's Budget Speech	...	267
The Mica Bill Report	...	267, 269
General Discussion of Budget	...	267
Tenancy Act Amendment Bill	...	268
Viceroy's Announcemet Welcomed	...	268
Voting under Budget Demands	...	269
Official Bills	...	271
JULY SESSION—1st to 8th July 1930	...	271
Moslem Representation in Local Bodies	...	271
Official Bills	...	271
THE C. P. LEGISLATIVE COUNCIL	..	..
JANUARY SESSION—17th to 23rd January 1930...	...	272
Budget Session—25th February to 10th March 1930	...	274
The New Council—9th to 12th December 1930	...	275
THE ASSAM LEGISLATIVE COUNCIL	..	275
MARCH SESSION—10th to 26th March	...	275
Budget for 1930—31	...	275
Non-official Resolutions	...	275
General Discussion of the Budget	...	227
SEPTEMBER SESSION—8th to 15th September 1930	...	277
Debate on Cunningham Circular	...	277
Land Revenue Re-assessment Bill	...	277
Discussion on Police Excesses	...	278
Discussion on Simon Recommendations	...	278
THE BURMA LEGISLATIVE COUNCIL	..	279
BUDGET SESSION—13th February to 1st March 1930	...	279
The Governor's Address	...	279
Budget for 1930—31	...	279
Non-official Resolutions	...	280
Voting on Budget Demands	...	281

<b>AUTUMN SESSION—5th to 11th August 1930</b>	...	...	<b>289</b>
Discussion on Unemployment	...	...	<b>283</b>
Separation of Burma	...	...	<b>283</b>
Dominion Status for Burma	...	...	<b>284</b>
<b>THE INDIAN ROUND TABLE CONFERENCE</b>	..	..	<b>286</b>
Personnel of the Delegation	...	...	<b>286</b>
Opening Day—The King Emperor's Speech	...	...	<b>287</b>
Maharaja of Patiala's Speech	...	...	<b>287</b>
Mr. Ramsay MacDonald's Speech	...	...	<b>288</b>
Maharaja of Baroda's Speech	...	...	<b>289</b>
Maharaja of Kashmir's Speech	...	...	<b>289</b>
Sir Akbar Hydari's Speech	...	...	<b>290</b>
Mr. Srinivas Sastri's Speech	...	...	<b>290</b>
Mr. Mahomedali Jinnah's Speech	...	...	<b>291</b>
Mr. Ba. Pe's Speech	...	...	<b>291</b>
The Federal Structure Sub-Committee Report	...	...	<b>293</b>
The Provincial Constitution Sub-Committee Report	...	...	<b>304</b>
The Minorities Sub-Committee Report	...	...	<b>306</b>
The Burma Sub-Committee Report	...	...	<b>308</b>
The N. W. Frontier Sub-Committee Report	...	...	<b>310</b>
The Franchise Sub-Committee Report	...	...	<b>411</b>
The Defence Sub-Committee Report	...	...	<b>313</b>
The Services Sub-Committee Report	...	...	<b>315</b>
The Sind Sub-Committee Report	...	...	<b>317</b>
Resolution Adopted at the Final Plenary Session	...	...	<b>318</b>
Prime Minister's Speech at the Final Session	...	...	<b>318</b>
<b>CONGRESS AND CONFERENCES—JULY—DECEMBER 1930.</b>			
<b>ALL-INDIA HINDU MAHASABHA</b>	..	..	<b>324(b)</b>
Memorandum to R. T. Conference	...	...	<b>324(b)</b>
<b>THE MOSLEM CONFERENCES</b>	..	..	<b>325</b>
The All Parties Moslem Conference	...	...	<b>325</b>
The U. P. Muslim Conference	...	...	<b>328</b>
The Muslim Nationalists' Conference	...	...	<b>331</b>
The Behar Muslim Nationalists' Conference	...	...	<b>332</b>
The All-India Muslim League	...	...	<b>334</b>
The All-India Muslim Conference	...	...	<b>348</b>
The Bengal Muslims' Conference	...	...	<b>351</b>
<b>THE EUROPEAN CONFERENCES</b>	..	..	<b>351</b>
The Calcutta Europeans at Peliti's	...	...	<b>354</b>
The Calcutta Europeans at the Empire Theatre	...	...	<b>354</b>
The All-India Europeans' Conference	...	...	<b>360</b>
The European Association's Annual Dinner	...	...	<b>361</b>
<b>THE ALL-INDIA CHRISTIAN COUNCIL</b>	..	..	<b>364</b>
The Council's Statement on Political Situation	...	...	<b>365</b>

( xii )		PAGE.
THE DEPRESSED CLASSES' CONFERENCE ..	..	367
THE INDIAN PHILOSOPHICAL CONGRESS ..	..	374
THE ASSOCIATED CHAMBERS OF COMMERCE ..	..	381
THE ALL-ASIAN EDUCATION CONFERENCE ..	..	387
THE INDIAN STATUTORY COMMISSION ..	..	..
Government of India's Despatch ..	...	392
Provincial Governments' Views ..	...	412
TEXT OF THE ORDINANCES ..	..	414
The News-sheets and Newspapers Ordinance 1930 ..	...	414
The Frontier Martial Law Ordinance 1930 ..	...	416
The Unlawful Association Ordinance 1930 ..	...	422
The Press and Unauthorised News-sheet and Newspaper Ordinance 1930 ..	...	424
The Unlawful Instigation (2nd.) Ordinance 1930 ..	...	432
THE ALL-INDIA CONGRESS COMMITTEE ..	..	435
Proceedings of the Working Committee ..	...	435
AT ALLAHABAD—12th to 15th May 1930 ..	...	435
Dharsana Salt Raid ..	...	435
Mahatma Gandhi and Civil Disobedience ..	...	435
President Jawaharlal Nehru ..	...	435
Working Committee Members and others ..	...	435
Foreign Cloth Picketing ..	...	435
Khaddar Production ..	...	436
Non-Payment of Taxes ..	...	436
Salt Satyagraha ..	...	436
Forest Grazing ..	...	436
Swadeshi Mill Cloth ..	...	436
British Goods Boycott ..	...	437
Liquor Picketing ..	...	437
Assaults on Women ..	...	437
Non-Violence ..	...	437
Press Ordinance ..	...	437
Peshawar Enquiry Committee ..	...	437
Congress Committees Unlawful ..	...	438
Delhi Shooting ..	...	438
Sholapur Martial Law ..	...	438
Ambulance Workers Assaulted ..	...	438
Congress Dictator and Treasurer ..	...	438
Swaraj Bhawan ..	...	439
AT ALLAHABAD—4th to 7th June 1930 ..	...	439
Spirit of Non-Violence ..	...	439
Repressive Policy of Government ..	...	439
Dharsana, Wadala, Contai and Tamruk Atrocities ..	...	440

Lucknow Atrocities	...	440
Women Satyagrahis	...	441
Duty of Military and Police Forces	...	441
Dacca Enquiry Committee	...	441
Mussalmans and the National Movement	...	441
The Jamiat-ul-Ulema	...	441
Newspapers	...	442
AT ALLAHABAD—27th June 1930	...	442
Resolutions 1 to 16	...	443
AT BOMBAY—30th July to 1st August 1930	...	445
Future Programme	..	445
Election to Legislatures		446
No-Tax Campaign in Gujrat		446
Non-Payment of Choukidari Tax		446
Breach of Forest Laws	..	447
Foreign cloth Boycott		447
Viaspur Jail Enquiry		447
Political Prisoners' Day		447
Previous Decisions Re-affirmed		448
Women and the Movement		448
Pt. Motilal Nehru and Dr. Syed Mahmud		448
Sj. Rajendra Prasad and Pt. Sundarlal		448
Peshawar Enquiry Report		448
Gandhi Cap		448
Sj. M. S. Aney		449
AT DELHI—27th August 1930		449
Liberation of Motherland		449
Previous Decisions Re-affirmed		449
The Peshawar Enquiry Committee		449

# INDIA IN PARLIAMENT & ABROAD—JULY—DECEMBER 1930.

INDIA IN PARLIAMENT	..	..	452
Parliamentary Debate on Round Table Conference	...		452
In Commons 29th July 1930	...		452
In Lords 29th July	..	...	452
In Commons 30th July	..	...	454
In Lords 31st July	..	...	454
In Commons 31st July	..	...	454
In Lords 27th November	..	...	456
INDIA ABROAD	..	..	458
INDIANS IN SOUTH AFRICA	..	..	458
The Asiatic Bill Menace	...		458
Sir Fazl-i-Hussain's Reply to Deputation	...		459
Resolutions of South African Indian Congress	...		461

	( xlv )	PAGE.
<b>INDIA IN THE LEAGUE OF NATIONS</b>	..	.. 462
Maharaja of Bikaner's Speech	...	... 462
Work of the Indian Delegates	...	... 462
<b>INDIA IN THE IMPERIAL CONFERENCE</b>	..	.. 465
Maharaja of Bikaner's Speech	...	... 465

**BRITISH INDIA & INDIAN STATES—JULY—DECEMBER 1930.**

<b>INDIAN STATES AND ROUND TABLE CONFERENCE</b>	..	467
Indian Princes' Statement	...	... 467
Maharaja of Bikaner on the Conference	...	... 468
Nawab of Bhopal on the Conference	...	... 469
Sir Mirza Ismail's Bangalore Conference	...	... 472
Memorandum of the People's Party	...	... 477
The States' People's Conference	...	... 480
Chairman's Address	...	... 480
Presidential Address	...	... 480
Proceedings and Resolutions	...	... 488

# CHRONICLE OF EVENTS

July-Dec. 1930.

# Chronicle of Events

July 1930

**Chief Events :—**Picketing continued to be the main Congress activity followed by arrests and convictions—“Garhwal Day” Procession in Bombay—Students’ strike and Nari Satyagraha Committee’s activities in Calcutta—The Sapru—Jayakar Peace Move.

**1st. Boycott Week Inauguration in Bombay :—**Pouring rain did not damp the enthusiasm which marked the inauguration of the Congress ‘boycott week’ early morning when a large number of volunteers marched from the Congress House singing national songs and crying slogans, ‘Starve the hand that beats us by boycotting British goods’ etc., and paraded the whole day in streets making house to house visits and obtaining pledges of boycott of British and foreign goods. School boys and college students in large numbers as also ladies participated in the demonstrations.

**Arrests and Convictions :—**Pandit Motilal Nehru and Dr. Syed Mahmud tried by the District Magistrate, Allahabad, for being members of an unlawful association, namely, the Working Committee and for abetting an offence, namely, violation of three ordinances by passing resolution No. 2 of the Working Committee, between the 4th and 7th June last. The accused refused to answer questions. The Magistrate sentenced them to 6 months’ S. I. on each charge, the sentences to run concurrently.

**Students asked to suspend studies :—**A resolution urging the students in Bengal to suspend studies forthwith with a view to devote their time to national service according to the Congress programme till the political situation improved, was adopted unanimously at the All-Bengal Students’ Association in Calcutta presided over by Srimati Basanti Devi, wife of the late Mr. C. R. Das.

**2nd. Lord Irwin promulgated a new ordinance, No. 7 of 1930, the Unauthorised News-Sheet and News-Paper Ordinance, in view of the Bombay Congress Committee’s cyclostyle bulletin propaganda.**

**Banks ordered to withhold payment to banned organisations :—**Order under Section 144 Cr. P. C. was served by the District Magistrate, Lahore, on all banks forbidding payment of money to six Punjab Associations, namely, the War Council, Nawajwan Sabhas and their subsidiary bodies which were declared unlawful organisations. The order to remain in force for two months.

**Picketing at Lucknow :—**The enforcement of the Picketing Ordinance in the United Provinces stimulated brisk picketing at Lucknow. From this morning liquor and toddy shops were picketed practically all over the town and picketing included boys as well. The intensity of picketing attracted huge crowds and a game of hide and seek was witnessed at certain shops when a buyer attempted to conceal a bottle which was disclosed by some one in the crowd. The picketing operations were extended to Messrs. Whiteaway Laidlaw’s shop in the Civil Lines. Altogether 30 arrests were made on this day. The pickets were replaced as soon as they were arrested.

**Mass picketing at Surat :—**500 Satyagrahi volunteers under the leadership of Mrs. Gandhi and Miss. Abida Tyebji, grand-daughter of Mr. Abbas Tyabji picketed the shops at Mota Mandir. All the shops there were closed.

**3rd. Police Firing at Khersai :—**Police opened fire at Khersai, under Ramnagar Police Station, near Balasore District border. On the 2nd., the Sub-Deputy Magistrate with forty-four constables, fifteen among whom were armed, came to Khersai to carry out the attachment of property. Half a mile from the thana conchshells began to blow and villagers followed the party, the mob growing larger every moment. When the police party reached Khersai the number of

the mob swelled and was believed to be about two thousand. They were all the time shouting and threatening the police and some of them throwing clods of earth, bricks and pieces of bamboo at the police party. As the mob began to grow more excited and continued to attack the police and came within a range of twenty-yards, four rounds of buckshots were fired which had the effect of driving away the crowds to some distance and the police then went on towards the thana.

*Boycott week in Bombay* :—The Congress activities connected with the boycott week continued unchanged. Six hundred volunteers left the Congress House in the morning and branched off into batches in different directions making house to house visits and collecting pledges to boycott foreign and British goods. At the same time, in response to the appeal made by the subjects committee of the Bombay Students' Conference, a number of students who favoured complete boycott of colleges started the picketing of colleges in the city with the result that most of the colleges had to close down except the Elphinstone and Sydenham Colleges which worked with depleted attendance. The school boys also mostly abstained from the schools and subsequently formed themselves into processions and paraded the streets. One procession which proceeded towards the Fort was stopped by the police opposite Messrs. Whiteaway Laidlaw and Co. and asked to disperse which they refused to do. The processionists were then charged with light canes and processions were formed repeatedly only to be dispersed by the police again, to the accompaniment of the jeers of the crowds which collected daily on the scene. Towards the afternoon the crowd opposite the Whiteaway's swelled to a couple of thousand and either cheered the arrested or demonstrated against the police or customers entering the Whiteaway's. The police who were on the scene charged the demonstrators several times with lathis resulting in injuries to 14, three of them being injured seriously.

*Arrests and Convictions* :—Mrs. Perin Captain, President of the Bombay Provincial Congress Committee arrested.—Lala Dunichand, the well-known Congress leader of the Punjab arrested shortly before midnight at Lahore. The arrest was made under the Criminal Law Amendment Act.

*Conduct of Bombay Police* :—In the House of Commons, at question time, Mr. Benn stated that the persons in India convicted in connection with the civil disobedience movement since March 1 and still serving sentences numbered 3,302 on May 31.—Mr. Freeman asked whether Mr. Benn's attention had been called to the injury done by the police to unarmed and non-violent citizens, particularly, women and children, in Bombay recently and what action he was taking to prevent a recurrence.—Mr. Benn replied that in view of the implications contained in the question he had asked for a report from India as a result of which he was satisfied that the minimum of force necessary was used by the Bombay Police in the execution of their very difficult duties.

**4th. Nari Satyagraha Committee's Activities in Calcutta** :—Picketing of foreign cloth shops in the Burrabazar section of the city which commenced by the first week of May under the auspices of the "Nari Satyagraha Committee," was further intensified during the last fortnight. Previously picketing was done during certain hours of the day but now all-day programme was arranged according to which picketing which commenced at 6 in the morning continued till late in the evening, three batches working alternately. The programme generally consisted in requesting the purchasers not to buy and the shopkeepers not to sell or deal in foreign cloths. Sometimes carters and coolies found carrying foreign cloths to any shop were politely reminded the part they have to play in furthering the cause of Swadeshi. Cross Street, Cotton Street, Noormal Lachia Lane and Pageyapatty generally witnessed the intensified activities. On their arrival at these centres the ladies generally divided themselves in batches of two or three and waited in front of the foreign cloth shops at these centres and explained in their persuasive manner the intending purchasers the beneficial results that would accrue from the Swadeshi movement. The ladies were also joined by male pickets. Whenever the policemen came there they arrested the pickets but the ladies were left uninterfered with. Crowds of people generally gathered together at these places but they were dispersed by the police and it happened not quite frequently that some of the crowd got hustled about.

Intense enthusiasm was a marked feature of picketing in Calcutta on this day.



About one hundred lady volunteers from the Congress office picketed foreign cloth shops in Burra Bazar, Bow Bazar and Bhowanipore throughout the day. Fifty-eight volunteers of the B. P. C. C. and fifteen of the Burra Bazar Congress Committee also picketed foreign cloth shops at Burra Bazar. Of the former 43 were arrested, 16 of whom were detained and the rest were let off. Of the latter 10 were arrested. The volunteers refused to move when they were assaulted and bodily removed.—The B. P. C. C. Office was raided by the Police and the officer-in-charge was arrested. Sodepur Khadi Pratishthan was also searched. Large numbers of volunteers were sentenced to various terms of imprisonment for picketing liquor shops in Calcutta, Howrah and Hooghly. The Press Ordinance too claimed its toll, the Secretaries of Burra Bazar Congress and Civil Disobedience Committees being hauled up for publishing "Congress Bulletins" and "Satyagraha Sambad."

The daily toll of the Picketing Ordinance in the mofussils in Bengal was becoming increasingly heavy. A very large number of volunteers in the District of Rangpur, Bankura, Mymensingh, Faridpur, Pabna and Sylhet were gaoled for picketing foreign cloth shops or liquor or similar other shops. Assaults upon pickets, in some cases pretty severe, were also reported. Congress offices and private houses at Mymensingh, Sherpur and Jamalpur were raided but nothing incriminating was reported to have been found.

*Arrests and Convictions* :—Mrs. Lilavati Munshi, Vice-President, Bombay Congress Committee, Mr. Noor Mahomed Vallibhoy, editor, Congress Bulletin, against whom warrants were pending were arrested. Shortly after, they were placed before Magistrate, along with Mrs. Perin Captain, President, Congress Committee and two joint Secretaries who were arrested on the previous day on charges under Section 180, I. P. C. for publishing the prohibited Congress Bulletin. Mrs. Captain and Mrs. Munshi were sentenced to three months' simple imprisonment, Messrs. Thakore and Mahashabdhe, joint Secretaries, and Mr. Vallibhoy, Editor of the Congress Bulletin, were sentenced to five months' rigorous imprisonment. None of the accused participated in the trial.

*5th. Repression in Maharashtra* :—The repression in Maharashtra at this time was going strong. In Poona several volunteers were arrested for distributing the forbidden pamphlets containing the A. I. C. C. resolutions. In the Districts of Ahmednagar, East Khandesh and West Khandesh and to some extent in Kolaba, the Intimidation Ordinance was applied and propagandist after propagandist was being arrested and sentenced to various terms of imprisonment up to 15 months. The Forest Satyagraha movement also increased in volume in these parts. The land revenue movement which was going on in the feeblest manner, was sought to be completely extirpated. In the District of Thana notices were issued by the Government threatening those landholders who had withheld the payment of a rupee out of the unjustly enhanced Land Assessment, declaring their whole land property forfeited if the arrears were not paid before the fixed day.

*Persecution in Andhra* :—Accounts received from the Andhra Districts of the steps taken by the Police and Magistracy to put down the activities of persons belonging to the Congress organisations was not only a needless form of harassment and persecution but was calculated to deepen the bitterness and hostility between the Government and the peoples. The Police Inspector of Rajahmundry declared a committee of lawyers about to take evidence as an unlawful assembly liable to dispersal, on the ground that the recording of evidence of witnesses as to police excesses encouraged civil disobedience.—Equally objectionable but more serious in its implications was the view which Mr. Stewart as District Magistrate officially communicated to the Municipal Councillors of Guntur that by not promptly voting for the cancellation of their resolution flying the Congress National Flag on the Municipal premises after the official proclamation of Congress organisations in the District 'as unlawful associations, they became liable to prosecution under the Act of 1908 inasmuch as "the flying of the white, red and green flag over the Municipal office is one form of assistance to the operations of that association."

*Police Firing at Kalna* :—A force of ten police was attacked and surrounded by 300 villagers armed with sticks and lathis while proceeding from Kalna to Mateshawar Thana, to make arrests in a rioting case. Three of the constables managed to get away and bring muskets from a Thana nearby. They then fired

on the crowd and rescued their fellow-constables. Two villagers were wounded. Later on, a constable, while carrying the news to the Thana Officer, was seized by the villagers, assaulted, and held a captive. Eventually, he was forced to sign a paper resigning his service and was then released.

*The Executive Board of the All-Parties Muslim Conference* met at Simla, Maulana Shaukat Ali presided. About 80 were present. The Committee adopted Raja Ghaznafar Ali Khan's resolution : "The report of the Simon Commission as a whole is unacceptable to us because it falls short of our demands formulated by the All-Parties Muslim Conference in Delhi and because it is retrograde and reactionary in spirit."

By a notification of the Punjab Government, *the Gujranwala Congress Committee was declared an unlawful association* and after a search lasting for nine hours the police seized every bit of paper, document and books found there. Indignant protest against such bureaucratic action was voiced at a public meeting held in the evening.

*Babu Rajendra Prasad, Congress leader* and member of the Working Committee of the All-India National Congress, was arrested at Chapra under the Intimidation Ordinance. He was sentenced to six months' simple imprisonment for each of the two charges under the Ordinances number 5 and 6, sentences to run concurrently.

**6th.** *The National Council of the Independent Labour Party* at a meeting in London passed a resolution condemning the repressive policy of the Government of India, recognising the right of Indian people to Self-Government and Independence and calling on the Labour Government to release the political prisoners in India and negotiate settlement with the Indian representatives on the basis of full responsible Government.

**7th.** *National Flag removed from Municipal Building* :—The National Flag on the Municipal building at Guntur was removed. Enquiries as to the causes of the removal showed that the District Magistrate wrote a letter suggesting the removal of the flag and the Municipal Council at a meeting held on the 22nd of June resolved that the flag should not be removed. The Magistrate, thereupon, wrote back threatening each individual councillor, who had not voted for the removal of the flag, with prosecution under the Criminal Amendment Act. On receipt of this letter the Chairman arranged for a meeting of the Municipal Council but it could not be held for want of quorum. Thereupon the Chairman suggested that the Magistrate should take steps he thought proper for removal of the flag. Soon after a special meeting of the Municipal Council passed a resolution favouring removal of the flag, those who opposed the resolution having walked out as a protest against the manoeuvres resorted to. The Magistrate in his letter to the Chairman, demanding the removal of the National Flag, characterised the 'tricolour flag,' as a symbol of assistance to the association which had been declared unlawful by the Government.

*The office of the Bengal Provincial Congress Committee* raided by the Police and fifty persons found inside the building arrested, among whom were Sj. Lalit Mohan Das, Vice-President of the B. P. C. C. and Sj. Biswanath Kapur of Bara Bazar Congress Committee. A second raid took place in the afternoon. The police searched the office and seized copies of the Bulletin and arrested Sj. Modhu Sudan Chatterjee, officer-in-charge.

**8th.** *Navajivan Press Seized* :—The "Navajivan" Press of Mahatma Gandhi, which continued publishing "Young India" and "The Navajivan" without furnishing the security demanded by the Government, was forfeited by an order of the Government. The Press was worth about Rs. 40,000. Mahatma Gandhi had made a public trust of the whole property appointing Mr. Vallabhbhai Patel, Seth Jammalal Bajaj, Mr. Mahadeo Desai and others as trustees.

*Bombay Congress Office raided* :—The Anti-News Sheet Ordinance being enforced in the city to-day, a party of a dozen police armed with a search warrant raided the Congress House at noon, conducted a two hours' search and confiscated four old duplicating machines and a number of old issues of the Congress Bulletin.

*King's Solicitude for India* ;—In opening the India House, the King said that he had watched with anxious heart the troublous passage of events in

India. There have been, said His Majesty, many changes and some dark days but I rejoice to think that through them all, she has steadily advanced to an assured place among the great peoples of the earth. The position of India House, said His Majesty, symbolises the unity of a greater Commonwealth of which she is a part.

*Sj. Lalit Mohan Das*, Vice-President of the Bengal Provincial Congress Committee, and Mr. Monmocha Banerjee, Captain of the volunteers, were sentenced in Calcutta, to undergo 6 months' simple imprisonment, and 6 months' rigorous imprisonment respectively, under Section 157, I. P. C. (harbouring or hiring persons for an unlawful purpose, namely, picketing.)

**9th. Viceroy's Outline of London Conference :—**Lord Irwin addressing a joint session of the Council of State and the Legislative Assembly outlined the object of the Round Table Conference to be held in London next October. "It is the belief of His Majesty's Government," said the Viceroy, "that by way of the Conference it should be possible to reach solutions that both countries and all parties and interests in them can honourably accept and any such agreement at which the Conference is able to arrive, will form the basis of the proposals which His Majesty's Government will later submit to Parliament." He also assured that the declaration of the pledge of Dominion Status as the goal stood as before.

*Effort of the Boycott :—*The Statesman wrote the following in its issue of the 9th July : "The conditions at Home are still in a very depressed state, and it would appear from cable advices received this week that almost every dhootie manufacturer has stopped production in the absence of any orders from this side. Quotations for grey dhooties are followed by phrases relative to shipment which can only be given one month after the termination of the boycott, and from this it can only be assumed that no producers are available. It is obvious from this state of affairs that there should be no hesitation in applying remedial measures for the trade, if such can be found. Everybody admits the gravity of the situation, and all classes of traders are seriously affected by the prevailing stagnation. It is unthinkable that the hard-headed men of Lancashire cannot help to find a way out of this impasse."

*Ladies' Demonstration before Assembly Chamber at Simla :—*When His Excellency the Viceroy came to address the Assembly some women Congress volunteers held a demonstration before the gate of the Chamber where the Viceroy alighted. About 25 Khadder-clad women volunteers took their position near the gate and did not disperse, though asked by the police to do so. When the Viceroy came they shouted slogans like "Long Live Revolution," "Up with National Flag," "down with Union Jack," "long live Bhagat Singh" and "Gandhi Ki Jai." As soon as the Viceroy entered the Chamber these volunteers returned to the town, singing national songs and crying the same slogan.

*Police Open Fire at Gudiyatam :—*Following the arrest of six Congress workers for picketing toddy shops at Gudiyatam a mob collected at a local Taluk office and a clash ensued between them and the police. The police first charged the mob with lathis but when they attempted to break the gate of the local jail and threw stones at it, the police after warning opened fire as a result of which one man was killed and several were injured. After this the mob again marched towards the toddy shops and burnt them. The Deputy Superintendent of Police arrived with several police force and dispersed the mob. The arrested men were later on tried, and sentenced to one year's simple imprisonment each.

**10th. Mr. M. S. Aney** and ten Satyagrahis were arrested at Pusad for breaking Forest Laws. Four were released without trial. Mr. Aney was convicted and sentenced to six months' simple and six others sentenced to six months' rigorous imprisonment. The town observed complete hartal. Schools were closed.

**11th.** After serving the sentence of imprisonment till the rising of the Court imposed on him on this day, *Dr. B. S. Moonji* again led 30 volunteers and broke the forest laws and cut grass and wood. Dr. Moonji and volunteers were arrested under Section 379. Sixteen were released unconditionally. Dr. Moonji and volunteers were sentenced to pay a fine Rs. 10 each in default to suffer one week's imprisonment. Dr. Moonji to suffer simple imprisonment and the volunteers rigorous imprisonment.

**"Gharwal Day" procession in Bombay:**—The vicinity of Azad Maidan was once again the scene of repeated lathi charges by Bombay Police on peaceful Congress Volunteers and a crowd of spectators resulting in nearly 520 persons being injured. Out of these injured about 250 were detained in the Congress Hospital. The Vice-President of the War Council, who was leading the banned "Gharwal Day" procession, was arrested with others as the procession reached the Victoria Terminus. After the arrest of these leaders, from 5-30 to 8-30 p. m. the police made about 25 lathi charges both on the volunteers and on the crowd. Troops were kept in readiness. Before the Police retired, they ordered the Congress Ambulance men to clear out. The latter were pushed and some Ambulance men received injuries. The strain on the Congress Parsi and Swastik-Ambulance cars was so severe that many private motor cars were requisitioned for service. For three hours continuous stream of cars carried the injured and wounded to Congress Hospitals where a band of voluntary workers both Doctors and Nurses tended the wounded.

- 18th. Police excesses in Contai:**—Attacking the proposed Round Table Conference in the Assembly Mr. K. C. Neogy supported Sir Cowasji Jehangir's statement made day before yesterday that "innocent persons were deliberately assaulted. Mr. Neogy said: "This is nothing but the spirit of Dyer, the spirit of Jallianwalla Bagh, that is stalking the land to-day. Jallianwalla Baghs are being enacted all over India." Reading copiously from the report of the non-official enquiry committee about Contai firing and the police excesses, Mr. Neogy said:—"The committee had the evidence of women molested, one in the presence of a Magistrate." Referring to the Bengal Government's communique Mr. H. G. Haig, Home Member, said that these allegations about women were false. Mr. Neogy: "That communique is a lie. Let me publish the report and then you prosecute me for it instead of believing a communique issued from a factory of lies."

**Bombay Liberals' Panacea for India's ills.**—The following resolution was adopted by the Council of the Western India National Liberal Association in connection with "Gharwal Day" procession: "The Council of the Western India National Liberal Association deplore that at this juncture, when it is essential that a favourable atmosphere should be created for a peaceful solution of the Indian problem, by negotiation, events should be allowed to happen which must create further bitterness between the Government and the people. It is regrettable that the Congress organisation should insist upon defying orders promulgated by lawful authority and creating occasions for conflict between the police and their volunteers. The Council is convinced that the method adopted by the authorities in dealing with processions, instead of stopping the evil apprehended from such demonstrations, is calculated on the contrary very much to worsen the situation. The sight of the beating of Congress volunteers who are non-violent and who submit themselves to the beating and are then removed to hospitals necessarily invites sympathy in the mind of thousands of spectators who carry away feelings of resentment and hatred against Government. The public do not understand the legal position that the processionists taking out a procession in defiance of police orders are breaking the law and are liable to be dispersed by force. The Council feels that if instead of the beating by lathis that was resorted to in the case of the procession on Friday last, the volunteers had been arrested and then discharged after some time all the public excitement and resentment that was created could have been avoided. The Council again appeals to Congress as well as Government to adopt methods of conciliation. The Council repeats in conclusion that the time has arrived when the Congress, having demonstrated the strength of National feeling, should call off civil disobedience and permit the establishment of conditions favourable for utilising to the best advantage the opportunity by a satisfactory settlement by means of the Round Table Conference. Government should, on their part, simultaneously release all political prisoners and withdraw all emergency legislation and thus enable Congress to participate along with other parties in the Round Table Conference."

- 13th. The Kishoreganj Communal Disturbances:**—Reports from Mymensingh stated that communal disturbances at Kishoreganj were gradually spreading. A large number of Hindu ladies and children left their villages to take shelter in safer places. On Sunday (13th) the additional Superintendent of Police along with the Sub-

Divisional Officer of Kishoreganj went to Kodali, a village. But the rioters attacked them and they had to come back as they were not fully equipped. But on Monday (14th) the additional Superintendent of Police went to Kodali again along with a posse of Gurkhas. Firing was opened when he was attacked by the rioters. Two of the attacking parties were killed and seventeen arrested. The additional Superintendent of Police then went to Bishnuhaty where about two thousand rioters had assembled. Instead of retreating the hooligans attacked the Police party after which firing was opened. Looting at Hindu houses and shops continued as before in the different parts of the sub-division.

*Labour's condemnation of Repressive Policy in India* :—The National Council of the Independent Labour Party at a meeting in London passed a resolution condemning the repressive policy of the Government in India, recognising the right of Indian people to Self-Government and independence, and calling on the Labour Government to release political prisoners in India and negotiate a settlement with Indian representatives on the basis of full responsible Government.

**14th. Move for Peace—Mr. Jayakar to mediate** :—A meeting of over forty members of the Nationalist, Independent and Swaraj parties in the Assembly and a few members of the Council of State, unanimously passed a resolution authorising its Chairman, Mr. Jayakar, to take such steps, as he may think necessary, so as to bring about an amicable settlement of the present impasse in the political situation in India.

*Gandhi Cap in Commons* :—Gandhi cap was worn in the House of Commons after Mr. Brockway had asked whether the wearing of Gandhi cap was prohibited in India. Mr. Benn replied that beyond press reports, he had no information except that wearing of Congress emblems was forbidden during Martial Law in Sholapur. Mr. Brockway suggested that it had been officially prohibited in Guntur District. Mr. Benn said he had seen references in the press but he had no other information. Mr. Brockway offered to supply Mr. Benn with the original copy of the order and having asked if the wearing of a simple cap endangered British administration in India, he drew out a Gandhi cap and amid cries of "put it on" and ironical cheers he stood up and donned the cap. Mr. Thurtle suggested representation to the Government of India that the prohibition of the Gandhi cap was unnecessary. There was no answer.

*Students' Picketing in Calcutta* :—The Calcutta students started picketing the Presidency College when a batch of 15 volunteers came in procession but were dispersed following a lathi charge by the Police who were already there. Some time after the dispersal the members of the All-Bengal Students' Association managed to send some of the pickets inside the college precincts through a private passage who went upstairs. The Principal requisitioned police help, who were waiting outside, and 17 of the pickets were arrested. Following their arrest, many of the college students who were still then in their respective classes came out as a protest against the arrest.

*"Congress Week" inaugurated in Bombay* :—A varied and intensive programme for enlisting members to the Congress was chalked out by the B. P. C. C. Mrs. Hansa Mehta, the President of the "War Council", exhorted the citizens to join the Congress ranks. She condemned the attitude of the Liberals and Responsivists whom she characterised as weak-kneed and said that the Round Table Conference was a moon-shine.—A lawyers' procession paraded the streets of Bombay, demonstrating their sympathy with the national movement. The procession was led by Mr. Balubhai T. Desai and was lustily cheered.

**15th. Heavy Toll of Ordinances** :—In reply to a question by the Hon'ble Sir Phiroze Sethna in the Council of State, the Government of India compiled a statement showing the number of persons dealt with under the Ordinance issued in 1930. The figures purport to be up to the end of 30th June.—The statement was as follows :—Under the Bengal Criminal Law Amendment Ordinance 1930 (I of 1930), 156 were prosecuted. Of these 12 were released, 3 convicted of criminal offences and 150 were under detention.—Under the Indian Press Ordinance, 1930 (II of 1930) :—Nil.—Under the Lahore Conspiracy Case Ordinance, 1930 (III of 1930), there had been no prosecutions.—Under the Sholapur Martial Law Ordinance, 1930 (IV of 1930) 57 had been convicted.—Under the Prevention of Intimidation Ordinance of 1930 :—3,750 prosecution had been made. Particulars relating to these 3,750 persons are given as follows :—In Bombay 736

were prosecuted and 685 were convicted.—In Bengal, 886 were prosecuted and 785 convicted of which 91 were dealt with under section 562 (1) Cr. P. C.—In Punjab 123 were convicted.—In Bihar and Orissa : 1,757 prosecuted and 1,253 were convicted of whom 98 were dealt with under Section 562 (1) Cr. P. C.—The number of persons dealt with under the Unlawful Instigation Ordinance was as follows :—In Bombay 6 were prosecuted and 3 were convicted.—In Bengal 25 were prosecuted, and 5 were convicted.—In Punjab 360 were convicted.—In Bihar and Orissa 96 were prosecuted and 57 were convicted and 5 were convicted, 8 acquitted or cases withdrawn, 31 pending.—In Delhi 45 were prosecuted and 13 were convicted.

- 17th. Effect of the Boycott in Calcutta :—**The Statesman wrote the following in its issue of the 17th July 1930—"The position from May 1, since the boycott began in Calcutta, is that hardly a single dealer has had any inclination to consider at all the question of forward purchases. His attention has been concentrated upon selling the goods which he had contracted for, but the intensity of the boycott campaign has been so effective that he has been prohibited by all the means possible—fair or foul—from executing these contracts. The picketing has hampered him to such an extent that he is now subjected to the most insulting behaviour on the part of the pickets and their "goonda" followers, and he has been compelled to do what business he is able to, most surreptitiously, deliveries having had to be made under cover of the most difficult methods. The result of the boycott movement which has, without doubt, been very thorough, has had its toll on suppliers. It is staggering to learn that there are about 100 mills closed in Blackburn—which is the biggest centre for weaving the Bengal Dhooti. No official figures of the number of insured persons unemployed are available, but the long queues outside the employment exchanges all over Lancashire tell their own story. It is computed that in Blackburn alone the number cannot be far short of 30,000. Never has there been so much unemployment except in times of strike or lockouts in Blackburn, which has been more badly hit by the depression in the industry than any other cotton town. Placing this week's figures at 30,000 it means that one-sixtieth of the whole of the unemployed in the country are in Blackburn.

**Police Firing at Madura :—**Three persons were killed and several injured by police firing in connection with picketing of one toddy shop at Manal Road and two arrack shops at the northern bank of Obla Ghat and Ghoripalayan. Seven picketers were arrested near the shop opposite the Satyagraha Ashram. The police first dispersed the crowd by lathi charges but later in the evening the police opened fire on the crowds resulting in three killed and several injured. Four arrests were made.

**The Sapru-Jayakar peace Negotiation :—**Letters exchanged between the Viceroy and Tej Bahadur Sapru and Mr. M. R. Jayakar, the Viceroy agreeing to both Sir Tej Bahadur Sapru and Mr. Jayakar seeing Mahatma Gandhi, Pandit Motilal Nehru and Pandit Jawaharlal Nehru in jail with a view to persuading them to restore peace. The Viceroy repeated the assurance given in his address regarding the Government's desire for Indians managing their own affairs subject to temporary safe-guards in spheres in which full responsibility was not yet possible.

**Commons Scene over India :—**A scene in the House of Commons, arising from the Labourite, Mr. Fenner Brockway, insisting on making a speech after Mr. MacDonald had replied to his question about India, ended in Mr. Brockway's suspension and also the suspension of the Left-wing Labourite, Mr. John Beckett, who exclaimed, 'it is a damned disgrace' and lifted the mace from the table and walked of the House with it, when an attendant seized the mace and restored it to the Sergeant at Arms. Mr. Beckett's action evoked protest from all sides and his suspension was carried by 320 votes to 4.

- 18th. Students' Unrest in Calcutta :—**Seventeen girl picketers, most of them students, were arrested in two batches while picketing at the gate of Bethune College for girls. They were taken in prison-vans somewhere in the suburbs and there released unconditionally. After the arrest of the second batch the students of the college, about 800 in number, rushed towards the gate but were held up by the professors with the assistance of the police.—The attendance in the Presidency College was very thin in the beginning and even those that attended came out with a few exceptions when the released girl picketers appeared on the scene

The police did not interfere. The majority of students at the Scottish Churches College was absent.

**19th.** Wild scenes were witnessed at the Scottish Churches College when a large number of picketers entered the compound by rushing the gates and scaling the boundary wall, shouting revolutionary slogans, with a view to persuade the students, mostly girls, attending the classes. The Principal, Dr. W. S. Urquhart, with other professors, made unavailing protests and appeals to check the onrush of picketers, a number of whom began to climb the water pipe to get on the upper floor, where the students were. Mrs. Urquhart, however, turned the tide when she offered Satyagraha by standing against the picketers, who, along with the crowd, left the place jeering and shouting. There was no picketing in the Presidency and Bethune Colleges. It being Saturday, the former had a few classes and the latter was closed.

**20th. Nationalist Moslems and Simon Report :—**Moslem Nationalists at a Conference held at Lucknow exposed the retrograde and reactionary character of the Simon Report. They asserted that the only way to focus attention to their grievances was by means of mass action. India had attained a stature, the Conference asserted, which precluded her from being bullied into submission. No settlement would be acceptable to the country unless the Congress participated in it.

**21st. Political Prisoners' Day at Lahore :—**The Political Prisoners' Day was celebrated at Lahore with a largely attended procession attended by volunteers of the Congress, the Hindustani Sevalad and the Balbharat Sabha and over hundred ladies which paraded the main thorough-fares and terminated in a huge meeting at the Morigate where speeches were made condemning the treatment meted out to the political prisoners.

**Police open Fire at Jubbulpore :—**A mob at Jubbulpore attacked the police at the excise warehouse. Fire was opened by the police as lathi charge proved ineffective. As a result of firing two were wounded, neither being serious. The mob was eventually dispersed by the lathi charge. Police casualties were about 12 injured, two being serious. Fifteen members of the crowd were admitted into the hospital. According to another account, 60 rioters were injured. The trouble arose out of the Congress volunteers prostrating at the gate of the Government warehouse so as to prevent liquor supplies to contractors.

**Police raid in Bengal :—**The Police raided the Bengal Provincial Congress Committee office and arrested the officer-in-charge. The Police arrested three volunteers at Burrabazar for picketing foreign cloth shops. The offices of the Bengal Civil Disobedience Council were raided by the police and 19 persons who were residing there were arrested.

**22nd.** The Police raided the Bengal Provincial Congress Committee office and arrested the officer-in-charge, Lalit Mohon Sanyal. The picketing of foreign cloth shops in Burrabazar continued as usual. Forty picketers were arrested but some of them were released subsequently. Mr. Satindranath Sen, leader of the Patuakhali Satyagraha campaign, was arrested in connection with the college picketing. Nine Congress volunteers were sentenced to varying terms of imprisonment by the Sub-Divisional Magistrate of Howrah on a charge of picketing liquor and excise shops.

**Sapru-Jayakar Peace Mission :—**Sir Tej Bahadur Sapru and Mr. M. R. Jayakar left for Poona on their peace mission to meet Mahatma Gandhi. They were seen off at the station by Sir Phiroze Sethna, the Hon. Mr. G. A. Natesan and other prominent liberals. Both were very reticent about the impending interview, while feeling that the countrymen's. If I fail, the misfortune will be mine."

**23rd. Picketing at Lahore :—**Picketing received an impetus at Lahore with the pooling of the Congress and the Shiromani Gurdwara Prabandhak Committees' activities. Following the unsatisfactory response to their representation regarding the police firing at the Sisganj Gurdwara, Delhi, the Shiromani Gurdwara Prabandhak Committee started picketing of foreign cloth and liquor shops. Ten Akali volunteers with 31 lady volunteers of the Congress Committee commenced

picketing of cloth shops inside the city. Volunteers continued picketing till the shop-keepers agreed to pack off their foreign cloth and get Swadeshi cloth stamped by the Congress. 114 cloth dealers having signed new pledges not to sell foreign cloth, and to get Swadeshi goods stamped by the Congress, picketing of their premises were withdrawn. Picketing continued at other shops, which did not up till then sign.

*Arrests, Convictions and Raids* :—In Calcutta forty-eight persons including the officer in charge were arrested after a police raid on the B. P. C. C. office while 16 persons were arrested at the office of the Bengal Council of Civil Disobedience. The picketing of the Presidency and Scottish Churches colleges continued. Three pickets were arrested at the gate of the former. The Congress House was raided by the police again in the evening, who removed copies of old issues of the Congress Bulletin. 22 ladies were arrested in Burra Bazar in connection with the picketing of foreign cloth shops.—In Bombay thirty-two Congress volunteers were sentenced to four months' rigorous imprisonment each by the Chief Presidency Magistrate for picketing in the Fort areas.

- 24th. In Calcutta seven women volunteers including Miss Santi Das, Secretary, Nari Satyagraha Samiti, who were arrested in Burra Bazar under the Picketing Ordinance, were sentenced, 6 to 4 months' and 1 to 6 months' simple imprisonment. Srimati Chameli Devi, who was awarded 6 months, was further accused of stopping the progress of coolies who were being escorted with bales of cloth by an assistant of Hoare Miller and Company. On the latter's asking her not to interfere with the despatch of bales, she, it was alleged, hit him in the face. A large crowd of men and women was present in the court.

*The Chittagong Armoury Raid Case* :—Trial in the Armoury Raid Case commenced on this day before the Special Tribunal at Chittagong. The prisoners were brought to the Court under a strong military guard. Armed Gurkhas were stationed in the Court buildings and outside. The public prosecutor opening the case against Ananta Singh and thirty-one others, referred to the Rowlett report to show the methods adopted by revolutionaries. He held that similar methods were adopted by the revolutionaries in Chittagong, who were traced first in 1914. He stressed the importance of a paper found lying near one of the killed in action on the Jalalabad Hill containing a quotation of an Irish leader holding the view that resistance, however dangerous, imprudent and premature, must be offered once and there must be a beginning somewhere. He said that that was their ideal. They knew that they were not sufficiently strong to drive the British even from Chittagong. According to the confession of one of the accused, they intended to murder all the Europeans in the Chittagong Club. He narrated the methods adopted to recruit members and to secure money by committing dacoity. After preparation was complete, simultaneous raids were made on the Auxiliary Headquarters and Police Magazine. He narrated how the Armoury was forced open, arms seized, sentries, constables and gentlemen killed till European gentlemen opened fire with Lewis gun.

*Arrests, Convictions and Raids* :—The trial of the members of the Nagpur "War Council" viz, Mr. Khare, Messrs. Poonamchand, Deshmukh and Dharmadikar commenced on this day. On the refusal of the accused to furnish security for good behaviour, the trial Magistrate, under section 118 Criminal Procedure Code, sentenced them to one year's simple imprisonment.—In Calcutta seven ladies were convicted in connection with picketing at Burra Bazar. The office of the Bengal Council of Civil Disobedience was raided by the police and kept under lock and key.

*National Flag Burnt in Ahmedabad* :—Considerable resentment was caused when it was known that the National Flag on the Taluk Congress Samiti was hauled down and burnt on the road. The police raided the Congress office headed by a sub-inspector, assisted by an excise inspector, seized old papers, handbills etc., and it was alleged, hauled down the flag and burnt it. When the news spread after the police had left, the people took the charred remains of the flag and the standard and paraded the streets in a procession.

*The Bombay Piece-goods Native Association*, after prolonged discussion lasting for three days, adopted a resolution declaring "Hartal" for an indefinite period as a protest against the "repressive policy" of the Government. The Hartal would not be called off till the Government conceded to the national



demands. The Association controls the main business of foreign cloth in the city which imports foreign cloth worth 30 crores annually.

- 25th. National Flag Removed at Purulia :—**The Deputy Commissioner of Manbhum with the help of about 100 armed police and Gurkhas and military sepoy, removed the "National Flag" placed over the Jubilee Town Hall by the Commissioners of the Purulia Municipality and hoisted the Union Jack in its place. Several armed policemen were posted to guard the whole building. The Municipal Office was closed as a protest against this action and eleven Commissioners tendered resignations.

**Calcutta Ladies Squat on Road :—**About 80 ladies belonging to the Nari Satyagraha Committee organised a procession in the afternoon as a protest against the conviction of seven ladies yesterday, but they were not allowed to proceed by the police, whereupon they offered Satyagraha by squatting on the Upper Circular Road in North Calcutta. The police formed a cordon round the ladies who did not budge an inch for over eight hours.

- 27th. Boycott week in Bombay :—**After the lapse of over two weeks—since the memorable Garhwal Day procession of July 11—Bombay witnessed a huge procession which started from the Congress House and paraded through those localities of the city where foreign cloth was generally sold. The procession was organised by the Boycott Committee of the Congress with a view to impress upon the general public and especially upon the dealers in foreign cloth the need of intensifying the boycott movement and to draw attention to the vigorous campaign of picketing foreign cloth shops that was being carried on by the Congress. Mrs. Hansa Mehta, the President, and other members of the "War Council" led the procession. Two girl volunteers carried a placard in front bearing the inscription, "To keep up her trade Britain has resorted to Lathi Raj." The leaders were followed by about a hundred Desh Sevikas clad in their orange-coloured uniforms which lent a picturesque colour to the whole procession. They were followed by a large number of women. A very large number of Satyagrahi volunteers followed the women, some of them carrying placards bearing inscriptions like "Boycott the Bankruptcy Loan," "Boycott-British Goods to Break your fetters," etc.

- 28th. Arrests and Convictions :—**In Calcutta ten ladies were convicted by the Additional Presidency Magistrate at Jorabagan for picketing. Twenty-two ladies and 32 men were arrested on the previous day in connection with the picketing of foreign cloth shops at Burra Bazar.—At Patna Mr. Murlī Manohar Prasad, editor of the "Searchlight," Mr. Sarandhar Singh, Secretary of the Patna District Congress Committee, and Mr. P. P. Verma were sentenced to pay a fine of Rs. 300 or in default to undergo simple imprisonment for six months, each under Section 32 of the Police Act for taking out a procession without license.

- 29th. In the House of Commons Mr. MacDonald announced that the opposition parties would be invited to nominate their representatives in the Round Table Conference but that Government would retain complete freedom with regard to the proposals to be laid before the Parliament as the outcome of the Conference. Mr. MacDonald's statement was a reply to Mr. Baldwin. The Prime Minister was hopeful that the names would be announced before the recess. He personally favoured four representatives from each opposition party. Replying to Mr. Lloyd George, Mr. MacDonald said he had given much consideration to the Statutory Commission being represented, but at present he was inclined to the view that it would be a great mistake. Mr. Maxton suggested the inclusion of backbenchers who hold strong views on the question. The Premier did not reply. Sir Austen Chamberlain suggested the appointment of Sir John Simon not as a representative of party but with common consent. Mr. MacDonald repeated his present view that it would be a profound mistake. Sir Austen Chamberlain raised the question of parties who had signed another report. Mr. MacDonald understood that the Central Committee would not be represented. He was at present communicating with the Viceroy in this connection. He at present thought the House would be well advised not to adopt the suggestion. Replying to Mr. Thurtle, Mr. MacDonald said he had considered the reactions on Indian opinion of inviting the Opposition Parties. He added that it would be obviously for the good of India as well as our own good that the discussion should be full and representative and the Government should have the benefit of listening to very thorough thrashing out**

of the problem. Mr. Neil Maclean asked whether the three parties would have the same representation or whether there would be proportional representation according to their numerical strength in the House. Mr. MacDonald said he was not interested in proportional representation regarding the Conference. He wanted representation that would be efficient in bringing ideas and examining the questions.

**Lathi Charge at Comilla :—**A procession about 80 volunteers came out at Comilla in defiance of an order under Section 144, when the Police charged the crowd with lathis, resulting in injuries to 60, of whom ten were lying in a precarious condition.

**Convictions :—**Mrs. Hasan Imam, Mrs. C. C. Das, Mrs. Sami, daughter of Mr. Hasan Imam, Miss Gauri Das and Mrs. Ambika Charan were tried at Patna for taking out a procession without license. They were convicted to pay fines.

- 30th. Police raid in Calcutta :—**The police raided the office of the Bengal Provincial Congress Committee, the Bengal Provincial Students' Association, the North Calcutta Students' Association, the All-Bengal Youth Association, the North Calcutta Congress Committee, the Central Calcutta Congress Committee and the Simla Byam Samity and arrested Mr. Atin Bose from the last named place under the picketing Ordinance, Mr. Amulya Charan Ganguly from the Bengal Provincial Congress Committee Office and four volunteers from the Central Calcutta Congress Committee Office.

**Students' Picketing in Calcutta :—**Two students of the Presidency College, who were expelled on the first day of the picketing, were arrested to-day in the College compound when they entered a class room while a lecture was on and shouted "Bande Mataram". While they were being taken away under arrest by the sergeants, about 50 per cent. of the students left the college with them in protest alleging that in addition to being arrested the two students had been assaulted by the police who entered the class room under instructions from the principal.—The intermediate law examination in the Calcutta centre could not be held owing to intense picketing. The picketing in the Scottish Churches College took a serious turn when professors were unable to enter the college owing to the picketing. A few students, most of them women, managed to enter the college early in the morning and had their classes with professors. Trouble arose when these women students were obstructed, while coming out, by a mob which joined the picketers. The college authorities then requisitioned the police who came and arrested 17 picketers who were subsequently released.

**European Knight's Plain-Speaking :—**"The spirit of unrest which is so widely spread to-day is very largely and perfectly the legitimate course, with which it is not difficult to sympathise and for which Britain is largely responsible," said Sir Hubert Carr addressing a meeting of the Calcutta Branch of the European Association. Continuing the speaker said: "It was a new thing in Indian politics that Indian ladies of good standing should come out in public streets in protests inspired by political ideas. The speaker hoped the Round Table Conference would produce a constitution acceptable to all parties."

- 31st. Mr. Benn on absence of Simonites from R. T. Conference :—**In the House of Commons Sir Austen Chamberlain made one more appeal to the Government to reconsider their decision regarding the Round Table Conference. He read at length from the letter of Sir John Simon who did not relish the idea of letting this opportunity of serving India slip by, as it would be difficult for the Simon Report to get a fair and adequate treatment in a Conference in which the representation of the Commissioners, according to the Prime Minister, would be "a profound mistake." While expressing their gratefulness to Sir John Simon for his solicitude for the welfare of Indians, Mr. Fenner Brockway was candid enough to say that in the present State of India the Simon Report was an anachronism. The clincher came from Mr. Benn who opined that the absence of the Commissioners from the Conference was perfectly natural and proper.

**Thirty Organisations Declared Unlawful :—**Figures regarding the progress of the civil disobedience movement at the All-India Congress Committee Office showed that so far 21 members of the Working Committee and ex-Presidents had been in jail. Thirty Congress Committees and allied organisations had been declared as unlawful assemblies. This figure was exclusive of the Nawjivan Bharat Sabhas

in the United Provinces. At about one hundred places in India, order under Section 144 had been applied.

## August 1930

**Chief Events** :—Picketing of foreign cloth and liquor shops and violation of forest laws in C. P. continued as usual—Arrest and conviction of Congress Working Members in Bombay—Terrorist Activities in Bengal : Calcutta Police Commissioner bombed : Inspector General of Police shot at at Dacca.

**1st. Tilak Anniversary Incident in Bombay** :—The Tilak anniversary procession which was taken out despite the police commissioner's order prohibiting entry in the Fort area were held up for nearly four hours by a strong cordon of police opposite the municipal office. This state of things continued for several hours. When it started the procession was only a few thousands strong but by the time it neared Bori Bunder at about 5-30 p. m, it had swelled to over a hundred thousand. Opposite the Victoria Terminus the procession was blocked by the police cordon drawn up across Cruickshank Road. Pandit Madan Mohan Malaviya was at the head of the procession with Mrs. Hansa Mehta, president and members of the 'war council' and a number of Desh Sevikas. Later Maulana Abul Kalam Azad, Lala Dunichand, Mr. Sherwani, Dr. Hardikar and Babu Dipnarayan Sing, members of the Working Committee, one after another joined them. After sometime the leaders of the procession including members of the Working Committee squatted on the wet road and remained in that position the whole night.

**2nd. In the King's speech on the prorogation of Parliament** reference was made to the Indian political conditions. "During the session the Commission appointed by me in pursuance of the Government of India Act completed their arduous duty and submitted to me their report, which has been presented to both of your Houses. My Government will shortly be approaching the task of framing and submitting for your consideration proposals for the future Government of India. For guidance in this matter it in their attention to summon into a Conference in London representatives of a wide variety of interests in India. I earnestly pray that a spirit of mutual trust and friendship may unite all the races and creeds in India and representatives of both countries in their discharge of the responsibilities which the Conference will impose upon them and I am confident that the single purpose of promoting the welfare of my Indian people will be the inspiration of every member of the Conference."

**Round-up of Working Committee Members** :—Sardar Vallabhbhai Patel, Pandit Madan Mohan Malaviya, Mr. Sherwani, S. J. Jairamdas Daulatram and Dr. Hardikar, five members of the Congress Working Committee were arrested in Bombay while they refused to disperse the procession, started in memory of Lokamanya Tilak, which was held up by the police, the processionists squatting on the street the whole night in drizzling rain. It may be recalled that Government passed a prohibitory order on the previous day against leading a procession. The Home Member of the Bombay Government was summoned from Poona to Bombay. He consulted with the Police Commissioner who threatened to arrest the leaders unless they dispersed. The leaders conferred and decided to offer themselves for arrest and the prison van was opened for them. After their removal the crowd grew less but the woman processionists who did not move were removed in a police van. The remaining crowd was charged by the police with lathis as the result of which many received injuries and were removed to hospital. All these happened in the presence of the Home Member. After these arrests Mr. Healy gave the processionists only five minutes' time to disperse. The processionists being adamant, at 10 minutes past 8 a. m. a severe mass lathi charge was made on the processionists, 350 sustaining injuries. The news of the arrests of Mr. Vallabhbhai Patel and other members of the Working Committee quickly spread throughout the city. A spontaneous hartal was declared. All shops and markets in the Hindu and the Muslim quarters were closed. Crowds collected and demonstrated in front of the Espla-

nade police court, where Mr. Patel, Pandit Malaviya and three other members of the Working Committee were being tried by the Chief Presidency Magistrate. The police made several lathi charges in trying to disperse them, but the crowd still surged in the compound till after midday, while on the Esplanade Maidan opposite, a mass meeting was being held.

**3rd. Police Firing at Ballia :—**A Hindu Mahabir Dal procession of about 15,000 persons insisting on passing by a mosque in defiance of the police orders had a clash with a crowd of several hundred angry Muslims armed with lathis who gathered near the mosque to oppose the advance of the procession. The police had to open fire. The casualties reported were five killed and 16 wounded. Stray cases of assault continued after the firing.

**4th. Lathi charge by Police at Jessore :—**32 volunteers after a whole day's picketing-work were taking rest at the local Congress office when a large number of constables armed with regulation lathis and headed by several police officials raided the office. The volunteers including their leader Sjt. Upendranath Ghose were charged with lathis as a result of which the latter was seriously wounded having got his skull fractured. Many other volunteers also received injuries more or less. Three volunteers were put in a motor bus with their hands tied, and were carried to distant and unknown destination in that dead hour of night. Some of the volunteers were denuded of all their Khaddar clothings which were burnt to ashes by the police. Those who resisted were again beaten by the police and left there in darkness by the side of the jungle.

**5th. Arrests and Convictions :—**Seth Deepchand who broke the forest law on the 1st instant was convicted on this day at Betul under Sections 379 and 117. Penal Code and sentenced to one year's rigorous imprisonment and a fine of Rs 500 in default three months more.—Twelve volunteers were arrested for picketing foreign and country liquor shops at Nagpur. Twenty-six volunteers were again arrested in the evening at country liquor and toddy shops. The volunteers surrendered to the police peacefully.

**Police Firing at Sukkur :—**Twelve persons were reported to have been killed and 150 injured as the result of police firing during a communal fracas at Sukkur. A Press communique issued by the Government ascribed the cause of the trouble to Hindu processionists beating Mahomedan 'tongawallas' and passengers therein who were subsequently saved by a Police Inspector. Wild rumours, however, spread all over the city and Hindus and Muhammadans began to kill each other and throw the bodies in the river. This created some panic in the city and led to general rioting and looting in which mostly the Hindus were hurt.

**Mass picketing in Bombay resumed :—**Over six hundred Congress volunteers including Dosh Sevikas were out for picketing foreign cloth shops on an intensive scale on this day. Almost all the foreign cloth shops having observed 'hartal' on the two previous days, as a protest against the arrest of Sardar Vallabhbhai, Pandit Malaviya and other Congress leaders, the "War Council" had not sent such a large force of volunteers for picketing during this period. The picketing activities were resumed and shops from the Fort to Dadar were picketed throughout the day.

**6th. Calcutta Lady Picketers Convicted :—**Some ladies of the Women Satyagraha Committee went to 'Burrabazar' and picketed before foreign cloth shops. The police on receipt of the information immediately went to the place and arrested eight ladies which included Srijukta Malati Das Gupta, Srijukta Santana Ray, Srijukta Susama Das Gupta and five ladies of the Bengal Provincial Congress Committee. All the ladies were taken to Lalbazar after their arrest—Srijukta Asoklata Das and Srijukta Giribala Roy who were arrested at Kanchrapara on this day for defying Section 144 Cr. P. C. and released were re-arrested subsequently by the Calcutta Police on a warrant issued by the S. D. O. Barackpore under Section 143 I. P. C. (unlawful assembly). The warrant was served on Srijukta Asoklata Das at her residence and Srijukta Giribala Roy was already in police custody in the Lalbazar lock-up having been arrested for the fourth time at Barrabazar on the 5th. August under the Picketing Ordinance. They were both sentenced to 3 months' S. I.

**Nagpur Forest Satyagraha :—**Sixteen volunteers broke the forest laws at Talegaon. Six volunteers were released and ten were arrested and sentenced. Sjts.

**Malkhdekar**, sub-editor of "Maharashtra," Wakhare and Shete were sentenced to four months' rigorous imprisonment, the remaining seven to three months' rigorous imprisonment.—At eleven places in Berar and three places in the Central Provinces forest laws were broken. At all these places volunteers courted imprisonment.

**Nasik Mass Satyagraha** :—Under the leadership of S. J. R. H. Gadre, President of District Local Board, Nasik 50,000 peasants including 2,000 females took part in Forest Satyagraha by cutting grass and grazing cattle at Bhuwad centre. Under the leadership of Dr. Khadilkar of Nasik 80,000 peasants including women participated in Forest Satyagraha at Patnavod.

**7th. Congress Working Committee Members Convicted** :—Judgment was delivered by the Chief Presidency Magistrate, Bombay, in the Congress leaders' case. The Magistrate convicted all the accused and sentenced Pandit Madan Mohan Malaviya, Miss Maniben Patel, Mrs. Ratnaben and two Sikh ladies, to a fine of Rs. 100 or in the alternative to 15 days' S. I. Sardar Vallabhbhai Patel and the remaining accused were sentenced to 8 months' S. I. The Magistrate observed that in view of the too old age of Pandit Malaviya and in view of the fact that he defied the order, not so much for defiance, but for certain public reason, he sentenced him as mentioned.

**8th. Calcutta Lady Picketers Arrested** :—As usual, a large number of ladies went to Burrabazar and picketed before foreign cloth shops in Cross Street, Dacca Pally and other places in the locality. The Police on receipt of the information came to the locality and asked the ladies to leave the place and not to cause obstruction. They refused to leave the place and the police arrested five ladies under Picketing Ordinance and took them to Lalbazar. Eighteen ladies were arrested in course of the day.

**Depressed Classes Conference at Nagpur** :—"Was not the Ulster movement one of Civil Disobedience and did not the best of British politicians support and participate in it," asked Dr. Ambedkar in his address to the Depressed Classes, though he added that the time was not yet opportune for launching it. After a scathing condemnation of British rule in India supported by facts and figures, Dr. Ambedkar proved that the Depressed classes had been the worst sufferers. Their only salvation, he asserted emphatically, was Swaraj. Quoting parallels from other post-war States, where self-Government had been a success, despite diversity of creed and races, Dr. Ambedkar observed that Swaraj would prove the most effective unifying factor in India as well. He explained his distrust of the so-called upper classes in India by quoting Burke's famous saying: "Better to be despised for too anxious apprehensions, than ruined by too confident a security."

**Babu Shiva Prosad Gupta**, who was already undergoing three months' imprisonment for defying an order under Section 144, C. P. C., was again sentenced under Section 124-A to one year's simple imprisonment, the sentence to run concurrently.

**Three-Days' Hartal in Bombay—Pt. Malaviya's release** :—As a protest against the conviction of Pandit Malaviya, Sardar Vallabhbhai Patel and other leaders, the Satyagraha Committee and the 'War Council' observed a three-days' hartal from to-day to indicate the nation's indignation. The public meeting at Chaupati sands, Mrs. Hansa Mehta presiding, saw with shock of surprise Pandit Madan Mohan Malaviya to appear on the platform. There was one moment of incredulous silence and then frenzied cheering burst out. When it subsided buzz of eager and persistent enquiries elicited the information that some unknown person paid the fine of Rs. 100 despite the Pandit's strongly expressed desire to the contrary.

**Garhwal Day Procession in Nagpur** :—A batch of 26 volunteers headed by Mr. Chhagganlal Bharuka, President of the "War Council," and Mr. Narayan rao Vaidya, formed the Garhwal Day procession in front of the "War Council" Office. They had hardly proceeded 300 yards when they were held up by the Police and were informed that they were disobeying order. They were given the order of dispersing, and on their refusal they were arrested. Immediately after, another batch of about 400 persons squatted on the ground headed by Mr. Khushalchand, President of the Chanda Municipality. Mr. Khushalchand was arrested. A third batch of eight persons was next arrested. About 600 persons remained squatting on the road.

**9th. Bengal Moslems' Conference—Calcutta Khilafat Conference** :—Two largely

attended Moslem Conference were held in Calcutta on this day. Sir Abdur Rahim who presided over the Bengal Moslems' Conference in course of his presidential address vehemently criticised the Simon Report. "Need I tell those who argues," said Sir Abdur "that a self-governing India has no meaning for us without safeguards for our rights and interests, that in a self-governing India under a free constitution in which the people at large will control the Government, the Mussalmans far from being in danger of losing any rights will be gaining along with other valuable rights which none possesses now. I advise you strongly therefore to throw all your weights in favour of a Government broad-based on the will of a free people."

"We must have our majority" said Maulana Shaukt Ali, President of the of the Khilafat Conference, "whether big or small in the Punjab, Bengal, North West Frontier Province, Sind and Baluchistan with the fullest autonomy given to the Provinces under a federal system of Government, with the rights of minorities in all provinces safeguarded as regards religion, culture, language, personal laws and education."

- 10th. Arrests and Raids :—**In Calcutta the offices of the Bengal Council of Civil Disobedience and Burrabazar Congress Committee were raided by the Police. Forty persons were placed under arrest. Five ladies were arrested in connection with picketing at foreign cloth shops at Burrabazar.

*Political Sufferers' Day Celebrated in Bombay :—*In accordance with the decision of the Congress Working Committee to observe 'hartal' on August 10 as the Political Sufferers' Day, the Bombay Congress Committee took out a procession from the Congress House through the Indian quarters and along the Hornby Road into the Fort Area. The procession was headed by Mrs. Hansa Mehta, President of the local "War Council" and included Pandit Madan Mohan Malaviya and Mr. V. J. Patel.

- 11th. Gandhi Cap and National Flag in Madras High Court :—**Judgment was delivered by Justice Pandalay in the Madras High Court in the National Flag and Gandhi Cap cases setting aside the orders of the Magistrate concerned. In the flag case his Lordship held that evidence was inadequate to show that there was any apprehension of danger in hoisting the National Flag. In the (Gandhi Cap case his Lordship held that it was hardly necessary to pass such order in the interests of public peace. He said that an order, like the present one, was more likely to adversely affect public peace. His Lordship, therefore, thought it the duty of the court in the interests of public peace to set the orders aside.

*Pt. Malaviya's Appeal to Bombay Merchants :—*Pandit Madan Mohan Malaviya made a fervent appeal for the boycott of foreign cloth and British goods and for the use of Swadeshi, addressing a huge meeting of cloth merchants in Bombay. He did not think there was any need of his dilating upon the present state of the country because his audience which was mostly composed of merchants was fully conversant with it. What he wanted to emphasise was the need of their taking even a greater part in the present movement as it was a movement to emancipate them from foreign domination which in its turn would lead to the all-round progress and prosperity of the country and would naturally improve the condition of the mercantile community. He held that it was not possible to take any effective measures to industrialise the country, or to improve its trade and commerce unless they had Swaraj. But that did not mean that they should sit idle till then. Even circumstanced as they were they could do a great deal at least to help the cotton industry by boycotting all foreign cloth and putting an end to the annual drain of 67 crores of rupees. He made a fervent appeal to his hearers to do that, to see only Swadeshi and to take to spinning.

- 12th. "Excesses of the Police" in Bengal to cope with the civil disobedience movement** were severely commented upon at the sitting of the Bengal Council by non-official Hindu members of the Council when a demand was made by the Home Member for the grant of a sum of Rs. 8,78,000 for current year "to meet the anticipated extra expenditure" due to the civil disobedience movement and similar other movements. Mr. Syamprasad Mukerjee moved a censure motion on the conduct of the police and the excesses committed by them during the last four months. The Mahomedans led by Mr. A. K. Fazlul Huq supported the motion. Mr. Mukerjee said that the acts complained of had not been cases of accidental

excesses but represented a deliberate policy of repression and oppression. References were made to the communal riots in Dacca and Kishoregunge and attempt was made to convince the House that the police were inactive during the troubles and police inactivity was an incense to the hooligans.

*Arrests in Calcutta:*—12 ladies of the Nari Satyagraha Committee who picketed foreign cloth shops at Burrabazar were arrested.—A batch of volunteers of the A. B. S. A. picketed before the foreign cloth shops at Burrabazar of whom 5 were put under arrest.—Police raided the Office of the B. P. C. C., seized some copies of Congress bulletins and locked up the office.

13th. *Kumar Shib Shekhareswara Ray* resigned the office of Minister to the Bengal Government owing to difference with Moslem colleagues on the Primary Education Bill.

14th. *Martial Law in N. W. F. Province:*—H. E. the Viceroy and Governor-General issued an Ordinance to provide for the proclamation of martial law, to empower the authorities to make regulations for administering it, and to provide for other matters connected therewith. The Ordinance to be called the Martial Law Ordinance of 1930. "It extends to the Districts of Peshawar of the N. W. F. Province, and may by notification be extended to any area in the Frontier Province. Part 1 relating to the proclamation and enforcement of Martial Law comes into force at once in the Peshawar District. The provisions of Part 2 regarding special courts come into force in the said district on such date as may be appointed in the notification."

*Lathi Charge by Police at Amritsar:*—About seventy people received injuries as a result of lathi charges by the police to disperse a meeting at Amritsar. The meeting was held under the auspices of the Provincial Naujawan Bharat Sabha and was largely attended. Mr. Kishen Singh who presided was arrested while the meeting was in progress. Mr. Mahomed Shagi next took the chair and was taken into custody. After him came Mr. Bhagat Ram and Mr. Kesho Ram who were also arrested. When the police saw that this did not stop the meeting, it was declared unlawful and the men were given three minutes' time to disperse. Quite a number of people went away but some of them remained sitting. The police then dispersed them by lathi charges as a result of which about seventy people were injured.

17th. *Mr. Ghanashyan Singh Gupta*, Dictator and acting President of the C. P. Hindustan Provincial Congress Committee was convicted under Section 3 of the Police Act, to 6 months' R. I. and Rs. 50 fine for explaining at a public meeting and distributing to the Police the resolution of the Congress Working Committee regarding the duty of the Police and the Military.

18th. *A meeting of the Europeans held in Calcutta*, Mr. G. N. Andrew presiding, condemned the Government's policy towards the Civil Disobedience Movement as feeble, and characterised the attitude of the European Association towards the present situation as defeatist. The meeting eventually decided to oppose the official resolution of the European Association supporting the Simon Commission Report and to move a resolution urging the Government to deal firmly with seditious propaganda, asking the repeal of the Government of India Act of 1919 and demanding the reintroduction of the Morley Minto Reforms of 1909.

19th. *Arrests and Raids in Calcutta:*—Ten ladies were arrested in connection with the picketing of foreign cloth shops at Burrabazar.—The office of the Central Calcutta Congress Committee was twice raided by the Police and 21 persons were placed under arrest. The office was placed under lock and key.

21st. *Maulana Abul Kalam Azad*, Acting President of the Indian National Congress, was arrested under the Intimidation Ordinance in connection with a speech delivered at Meerut some time ago. He was taken to Meerut to stand his trial.

*Congress Associations declared unlawful in Bombay Presidency:*—A Bombay Government Gazette Extraordinary issued to-day declared certain associations in the Districts of Poona, Ahmednagar, Satara, Nasik, East Khandesh and West Khandesh to be unlawful associations within the meaning of Section 15 of the Criminal Law Amendment Act, 1908.

*Congress Activities in U. P.:*—A number of women volunteers headed by Mrs. Uma Nehru, "Dictator" of the local Congress and her daughter Miss Shamkumari, an Advocate of the Allahabad High Court picketed the Allahabad University.—At

Fyzabad eleven volunteers were arrested for picketing a Muslim cloth shop.—Forty-two persons were arrested at Kheri and nine at Lakhimpur including Pandit Dindayal, Congress Secretary, for infringing the Forest Laws.—Pandit Hargobind, a member of the All India Congress Committee was arrested at Ranikhet under the anti-Intimidation Ordinance.

- 22nd.** *The Calcutta European Association* adopted a resolution urging postponement of all political advancement so long as seditious and unconstitutional propaganda continued.

*Picketing in Calcutta* :—Six ladies of the Nari Satyagraha Samity were arrested at Burrabazar for picketing foreign cloth shops. Fifteen volunteers of the Jorabagan Congress Committee picketed foreign cloth shops at Nutan Bazar. They were charged and dispersed.—73 volunteers of the A. B. S. A. picketed foreign cloth shops at Burrabazar. About 30 volunteers were arrested and some of these were released.

- 25th.** **A bomb attempt on Sir Charles Tegart, Commissioner of Police, Calcutta,** was made near the South-Eastern corner of Dalhousie Square. Sir Charles was proceeding in a car to his office at about 11 o'clock in the morning. When the car had passed the crossing at the South-Eastern corner of Dalhousie Square, loud reports of two explosions in quick succession were heard near the car. Sir Charles detected that two bombs had been thrown. His car moved forward a little and then turned back. In the meantime reports of firing were heard. One Bengalee youngman was found profusely bleeding from the lower part of his body. He was supporting himself against the railings of the Square. The man was removed from a pool of blood and died on his way to hospital. A Bengalee youngman who gave his name as Dinesh Chandra Majumdar was arrested with bleeding injuries. Sir Charles Tegart escaped unhurt. Twenty-six houses were searched in the city in the evening and five persons were arrested. Searches and arrests continued in mufussil and Calcutta for the next few days.

*Connections in the Punjab* :—Lala Dunichand sentenced at Lahore under the Unlawful Instigation Ordinance to undergo four months' simple imprisonment. Under the same Ordinance, Lala Purshottamlal Sondhi and Lala Multaniram were sentenced to undergo further one month's imprisonment each. Mr. Santiswarup, Secretary of the Naujawan Bharat Sabha, arrested under Section 124-A, was sentenced to undergo two months' rigorous imprisonment and to pay a fine of Rs. 100 in default to undergo imprisonment for additional one month.

**Congress Working Committee Declared Unlawful in Delhi** :—The Chief Commissioner issued the following notification :—"Whereas he is of opinion that the Association at present known by the name of the Working Committee interferes with the administration of law and order and with the maintenance of law and order, it is hereby declared that under Section 16 of the Indian Criminal Law Amendment Act the said Association will be an unlawful association within the meaning of Part Two of the said Act."

- 26th.** **National Flag Day at Lahore and Simla** :—The National Flag Day was celebrated at Lahore according to the instructions of the Provincial Congress Committee. 500 ladies were present among the crowd which witnessed the ceremony outside Mori Gate. Shops and houses inside the city also hoisted tri-coloured flags.—The police stopped a Congress procession at Simla in celebration of the National Flag Day and arrested 15 Congressmen including the President, Dictator and Secretary of the Congress Committee. Two lady volunteers who were arrested were later released. While the police dispersed a crowd some received injuries. There was 'hartal' in the bazars as a protest against the arrest of Congress leaders who were at once taken to the jail for trial.

*The European Association Conference*, which was attended by delegates from branches of the European Associations from all parts of India, was held in Calcutta on August 25th and 26th. Among other resolutions the following were passed :—"That this meeting is of the opinion that the Congress revolutionary movement, with its boycott of British goods and firms, cannot be stemmed by concessions or Conferences and considers that the Government of India should take drastic measures to combat the movement with all the resources at its command. It is further of the opinion that the situation requires immediate action and that any further delay in the hope of creating a favourable atmosphere for the Round Table Conference is not only undesirable but dangerous. That the Indian



National Congress having ceased to be a political and become a revolutionary body should be declared an illegal organisation throughout India and suppressed by Government, and to this end the funds and property of the Congress shall be taken by Provincial Governments with respect to any provincial organisation certified by the Governor to be of a revolutionary nature. That, whatever the recommendations of the Round Table Conference may be, no change in the present system of Government in India shall be effected until seditious propaganda and unconstitutional agitation have been firmly dealt with and the civil disobedience movement is ended."

**27th. Congress Working Committee Members Arrested and Convicted**—Dr. M. A. Ansari, Pandit Madan Mohan Malaviya, Mr. Vithalbhai Patel, Mr. Mathradas Tricumji, Lala Dunichand of Ambala, Mr. Deep Narain Singh, Dr. B. C. Roy, Sardar Mangal Singh, Choudhury Afzal Haq (members) and Mr. Raja Rao (Secretary) of the Congress Working Committee were arrested at Delhi. The arrests were a sequel to the meeting of the Congress Working Committee being held, Dr. M. A. Ansari presiding, in spite of the official ban. The trial commenced at 11 on the morning of the 28th August. The leaders were unconcerned with what was happening, and were all along reading books. At 12 o'clock, the Magistrate asked them if they had anything to say but they refused to participate. While the leaders were having their repast in the tents pitched in the European ward of the goal, the Magistrate accompanied by pressmen went over there and said: "I am sorry, gentlemen to sentence you to six months' S. I. in "A" Class.

Following the arrest of the members of the Congress Working Committee, a new committee was formed consisting of six Moslems and six Hindus, in addition to the three unarrested members, including Mr. Khalil-ul-Zaman, Advocate of Lucknow, acting President, Mr. Harkarannath Misra, Barrister of Lucknow, Mr. Brelvi, Editor of the "Bombay Chronicle," and Mr. Velji Nappo of Bombay (Treasurer). The other members included Mr. K. V. R. Swami (Rajahmundry), Mr. S. V. Kowjalgi (Bijapur), Mr. A. M. Khawaja of Allahabad, Mr. Ismail Ghaznavi of Amritsar, Mr. Sarat Chandra Bose of Calcutta, Professor Abdul Baqi of Patna, Mr. Asatali of Delhi, and Maulana Abdul Baqi of Dinajpur, Bengal.

*Convictions of Mrs. Zutshi and Maulana Azad* :—The first woman Dictator' of the Punjab "War Council" Mrs. Zutshi was sentenced at Lahore to undergo one year's simple imprisonment as she refused to furnish a security of Rs. 10,000. —The trial of Maulana Abul Kalam Azad, Acting President of the Indian National Congress, under Section 3 of the Ordinance 6 of 1930, commenced in the Meerut District Jail. The Maulana refused to take part in the proceedings of the Court. After the examination of two witnesses for the prosecution, the Magistrate convicted and sentenced the Maulana for breach of the above section to undergo six months' simple imprisonment.

**28th. Ladies Convicted at Delhi** :—Fourteen ladies were sentenced to undergo three months' simple imprisonment and to pay a fine of Rs. 50, in default to undergo further one and a half month's simple imprisonment each. 21 men volunteers were sentenced to undergo three month's rigorous imprisonment and to pay a fine of Rs. 50 in default to undergo a further one and a half month's rigorous imprisonment each. All these convictions were made under the Picketing Ordinance. These men and women volunteers were arrested on the 21st and 22nd August while picketing the wholesale wine godowns. Two of the ladies had each an infant in arms and a boy of tender years with them.

*A. I. C. C. Declared Unlawful*.—Under Section 16 of the Criminal Law Amendment Act the Madras Government declared the All-India Congress Working Committee an unlawful association as it interfered with the administration of law and maintenance of law and order and constituted danger to the public peace—A notification of the Home Department of the Government of Bombay proclaimed the Working Committee of the All-India Congress Committee as an unlawful Association under Section 16 of the Indian Criminal Law Amendment Act. The notification justified the action on the ground that it "interferes with the administration of law and the maintenance of law and order."—The Governor in Council at Patna declared the All-India Congress Working Committee as an unlawful association on the ground that "it is interfering or has for its object the interference with the administration of law

and with the maintenance of law and order and that it constitutes a danger to public peace".—The Punjab Government declared the Students' "War Council", the City Congress Committee, Amritsar, the Congress Volunteers' Corps and the District Congress Committee as unlawful associations under Section 16 of the Criminal Law Amendment Act.

- 29th. Inspector-General of Police Shot at at Dacca** :—Mr. Lowman, Inspector-general of Police, Bengal and Mr. E. Hodson, Superintendent of Police, Dacca, were shot at and seriously injured, while leaving Mitford Hospital at Dacca. Mr. Lowman received two shots and Mr. Hodson three. One bullet entered the latter's abdomen which was operated, but the bullet was not located. It was stated that the assailant had two revolvers of which one was left behind when he was chased. This revolver was a 5 chambered and enamelled one. While escaping the assailant with the second weapon kept his pursuers at bay. He entered the Medical School compound from the Mitford Hospital where the outrage occurred. Thereafter he disappeared and could not be traced. Mr. Lowman expired on the morning of August 31; Mr. Hodson however improved.

- 30th. Mrs. Hansa Mehta, President of Bombay "War Council" arrested.**

*Bomb Explosion at Mymensingh* :—Two bombs were thrown at half an hour's interval at the houses of Pabitrakumar Bose, Inspector, Detective Department, and Tejeschandra Guha, Excise Sub-Inspector. Two brothers of the former were slightly injured. Bose was away from home. No one was hurt at Guha's place. Both bombs, it was alleged, contained cartridges and alloyed shell and exploded with tremendous noise and flash of light. In connection with this outrage Srimati Sobharani Dutt, aged 18, was arrested in Calcutta and taken to Elysium Row Police Station. She was the first woman to be arrested in this connection.

- 31st. Mr. Ramchandra Sainik, the tenth Dictator of the War Council was arrested at a Congress meeting at Lahore.** Large numbers of the audience followed Mr. Sainik crying "Long Live Revolution" when he was being taken away by the Police. On refusal to disperse after repeated warnings, the police made a lathi charge and dispersed them. Some persons were injured.

Mr. G. V. Mavlankar, President, Mrs. Saraladevi Ambalal Sarabhai, Mr. Chaitanyaprasad Divanji and Mr. Balabhai Nanavaty, members, and Mr. Ishwarlal Vyas, Secretary, of the Ranpur Police Excesses Enquiry Committee were arrested at Ranpur for holding enquiry defying the District Magistrate's order under Section 144 C. I. P. C.

## September 1930.

**Chief Events** :—Police-Terrorist fight at Chandernagore—Failure of Sapru-Jayakar Peace Negotiations—Congress bodies in the Punjab and Delhi declared unlawful—Police raids and searches all over the country—Council elections : successful picketing by women.

- 1st. Arrests and Convictions** :—Principal Chabildas sentenced at Lahore to one year's imprisonment under Section 124-A and to four months' imprisonment and a fine of Rs. 50 in default to undergo one month's further imprisonment under Section 17 (2) Criminal Law Amendment Act.

- 2nd.** At Surat while picketing the polling booths 125 pickets were arrested. Among the arrested were 25 ladies. There were two lathi charges in which 28 persons were injured.

At Ahmedabad great sensation prevailed when about 50 volunteers were arrested while picketing near the polling booths where votes for election to the Legislative Assembly were being recorded.

At Bombay Mrs. Hansa Mehta, president of the Bombay 'War Council' and Mr. P. R. Lele, Vice-President, were sentenced to three months' simple and five months' rigorous imprisonment respectively for publishing the "Congress Bulletin."

**Bengal Police—Terrorist Fight at Chandernagore :—**A regular fusillade ensued between a band of Terrorists said to be absconding ringleaders of the Chittagong Armoury Outrage and a party of Police headed by Sir Charles Tegart, Commissioner of Police, Calcutta, in a house in the Gondalpara Section of Chandernagore. Sir Charles had rounded up the house with his men to arrest the absconders and while attempting to enter the house was overheard. Firing was resorted to by both the police and the inmates of the house who were on the look out to escape unnoticed and unhurt. As a sequel four Bengalees aged between 23 and 30 years were arrested. Two ladies were also put under arrest. Three revolvers, cartridges, aluminium alloy and other implements and chemicals for making bombs and cartridges were seized. One man was killed and several were injured.

**3rd. Mail bags robbed at Rajshahi :—**About 25 armed men attacked the mail tandem carrying the outgoing mails from the Rajshahi Post Office while the carriage was on its way to the station. The men robbed the mail bags and decamped. The police searched in this connection a number of houses near the place of occurrence and arrested several persons on suspicion. A small portion of the mail was found lying in a thick jungle at some distance from the spot.

**Heavy fall in Bombay Government's Revenue :—**The Bombay Government issued a statement on the financial position of the Presidency in which they referred to the serious losses caused by the civil disobedience movement. "There has been a fall in revenue in almost all Departments, the greatest being in excise which shows a reduction of 60 lakhs in the budget estimated for the current year, chiefly due to the picketing movement. Stamps are expected to show a loss of 11 lakhs, forests 16 lakhs, and other scheduled taxes 7 lakhs. In addition to these there will be increased expenditure due to the Disobedience Movement. The total deficit is expected to be 125 lakhs against which there is a balance of surplus revenues of 82 lakhs."

**4th. Dr. Charu Chandra Ghosh, President of the Frontier Congress Committee, sentenced to 2 years' rigorous imprisonment.**

**Police attacked by mob :—**As a result of trouble arising out of picketing an excise shop in Deluahat in the interior of the Khulna District, the Police charged the volunteers and the crowd but as they took a threatening attitude the Police opened fire. The excise shop was also burnt down.

**5th. Break down of Peace Negotiations :—**After an hour's conference with Mahatma Gandhi to-day Sir Tej Bahadur Sapru and Mr. Jayakar made the following statement :—"We regret to announce that the present peace negotiations have failed. We are releasing the entire correspondence in the course of to-day or to-morrow."

**6th. Police open fire at Bilashi :—**Two villagers were killed and several injured, while six policemen sustained injuries as the result of an encounter between the police and the villagers at Bilashi in the Satara District in Bombay. The main trouble arose out of Forest Satyagraha and non-payment of dues. The tribesmen hoisted a National Flag over a "contraband" teak pole from a jungle and expressed their intention to protect it by all means. About ten thousand villagers assembled at the place. A party of 250 armed policemen under the Superintendent of Police, Satara and the District Magistrate raided the village. At first the police made a lathi charge and the village was cleared but the tribesmen re-assembled and were alleged to have attacked the raiding party when the District Magistrate ordered to open fire. The Government Police party was reinforced by a company of 150 infantry from the Kohlapur State who helped in the operations. The police then made several arrests including some rich merchants and confiscated the National Flag.

**Hindu Muslim clash in Bombay :—**26 persons were injured, two fatally, in the Hindu-Muslim fracas which occurred at Dharavi, a suburb of Bombay, at midnight over the Ganapati procession. The trouble arose when the processionists persisted in playing music before a mosque on the route of the procession. The police hurried to the scene and restored quiet.

**7th. Forest Satyagraha in C. P. :—**Mr Manikrao Deshmukh was arrested for leading mass Civil Disobedience at a place in Katol tashil and breaking the forest laws. There was also mass Civil Disobedience of breaking forest laws in Kelzar village, Wardha District, when about a 100 Satyagrahis, including the

women, were arrested. Seth Chiranjilal, Mr. Gharpure and several other prominent Congress workers of Wardha were arrested.

- 9th. *Clashes in Calcutta; Lathi Charge in Ashutosh Building*:—On the arrival of Miss Slade 'alias' Mirabai at Howrah the Police dispersed a large crowd of persons that assembled before the Howrah Bridge to give her a rousing reception with the result that some persons were injured. The processionists, after dispersal at the Howrah Station, came along the Harrison Road towards the College Square. A large crowd joined the procession. The police made several charges and dispersed the crowd. About thirty women were arrested by the police at the College Square where the procession terminated. Street urchins and the mob obstructed the passage of tram cars and, it was alleged, stones were thrown at them. The students of the post-graduate classes from the upper stories of the Ashutosh Building of the Calcutta University were said to have jeered at the police according to whom stones were thrown from the building. A police party under Deputy Commissioner Gordon entered the Ashutosh Building, where classes were being held. The University authorities resented the police conduct. The latter, however, charged the students with regulation lathis. As a result, ten were badly injured and were subsequently removed to the hospital.

*Punjab Congress Committees Declared Unlawful*:—The provincial and the city Congress Committees were declared unlawful associations and the police searched the offices of both the committees and took away the whole movable property. The houses of almost all the office-bearers numbering about 15 were also searched and certain articles, mostly papers connected with the Congress, were removed.

- 15th. *Mr. R. S. Pandit* sentenced at Allahabad to one year's rigorous imprisonment and a fine of Rs. 500 or in default three months' rigorous imprisonment for making a seditious speech on the "Gharwali Day."

*Serious Police and Mob Riot at Gulaothi*:—There was a serious riot at Gulaothi between Hapur and Bulandshahr. A Congress meeting advertised to take place was not allowed to be held on account of the danger to the thana, and the small crowd that had gathered was dispersed by the police. Subsequently, a Congress leader came in a car from Meerut accompanied with volunteers and calling a large crowd marched towards the thana. The mob was in a threatening mood and bent upon attacking the police station. The station officer with the police force stopped their march and ordered a dispersal. The sub-inspector was hit with a lathi on the head. He collapsed. The police fired 23 rounds. The crowd dispersed, and the injured were given aid and brought to hospital. The police casualties were one sub-inspector killed and one constable grievously wounded and two constables and one chowkidar received simple injuries. On the Congress side three men died of bullet wounds and five were seriously injured.

- 17th. *Delhi Congress bodies declared unlawful*:—The Chief Commissioner of Delhi, declared both the Delhi District Congress Committee and the Satyagraha Ashram (Congress volunteers' camp) unlawful. The police thereupon simultaneously raided both the places, and thorough searches were made. The police removed from both the places all available papers, and also a cartload of National Flags in addition to the cash box. From the Ashram they arrested 112 volunteers and Mr. Faridulhaq, a nephew of Dr. Ansari, and two others were arrested at the Congress Office, and all papers and cash boxes were seized. Mr. Asaf Ali, who was appointed "Dictator" of the "War Council" after the arrest of Mr. Faridul Haq Ansari was also arrested.

*Police raids and searches all over the country*:—There were numerous house searches and police raids in Bombay and in several other parts of India. The attention of the Bombay police was restricted to the Lahore leaders. Residences of Mrs. Suhasini Nambiar, Mr. S. V. Deshpande, Mr. Jambekar, Miss Mrinalini Chattopadhyaya and of two Americans, Mr. Somers and Mr. Kweit at Malabar Hill, were searched. A quantity of proscribed literatures was taken from these places.—In Delhi the police raided the District Congress Committee and the Satyagraha Committee and arrested 150 volunteers.—In Ahmedabad the police busied themselves in recovering fines from Mrs. Ambalal Sarabhai and Mr. Divanji by attaching their properties.—Dr. T. V. Nastri, President of the Tamil Nadu Congress Committee was jailed for "harbouring Satyagrahis."

- 18th.** *Dinesh Chandra Mazumdar*, arrested in connection with the bomb outrage on Sir Charles Tegart, Commissioner of Police, was sentenced to transportation for life by a Special Tribunal at Alipore.

*Bombay Council Election : Picketing by Women*.—A continuous stream of volunteers drawn from all the communities, with a sufficiently representative element of Muslim and Parsi women picketed the Town Hall and lined the roads leading to it persuading the voters not to "betray their country." As soon as one batch of these saffron-sarried volunteers was marched on to police stations, another batch immediately took its place and this went on till the evening. In all 382 women volunteers were kept in the lock-up. One wonderful feature of the day was that as soon as the news of the arrests of the women volunteers reached the city fresh recruits, young girls and old women, volunteered their services to picket the polling booths in case of emergency. By evening more than 200 such recruits had registered their names in the Congress House. At one time the picketers' persuasion was so successful that policemen volunteered to give a safe conduct to the voters to the polling booth. The police force which was under the immediate and personal supervision of the Commissioner of Police, did not direct their attention only to the picketers, but throughout the day there were a number of lathi charges on the crowd resulting in injuries to 545 persons. The Congress Ambulance Corps, the Parsi Ambulance Corps and the National Militia Red Cross Corps were on duty rendering first aid to the wounded. All the arrested women volunteers were released in the evening but 13 men volunteers were detained in the lock-up.

*Police raid on Jullianwala Bagh*.—A raid was carried out by the police on Jullianwala Bagh in Amritsar. The place was besieged from all directions. Policemen armed with lathis entered the Bagh and demolished about half a dozen thatched cottages belonging to different organisations, such as the "War Council", the Congress Committee, the students' "War Council" and the Naujawan Bharat Sabha which had been declared unlawful Association. They seized some articles and later arrested Mr. Mahomed Hossain, General Secretary, Mr. Sultan Mahomed, a working member of the "War Council" and also Mr. Ajit Singh "dictator" of the Students "War Council."

- 19th.** *Satyagraha Asram Volunteers Convicted in Delhi*.—Seventy-two Congress Volunteers were sentenced in Delhi to three months' rigorous imprisonment and a fine of Rs. 50 each or in default one and a half months' additional imprisonment, under the Criminal Law Amendment Act. Thirty-seven were let off with a warning, being of underage. It will be recalled that 112 volunteers were arrested from the Satyagraha Ashram on a charge of being members of an unlawful association after the Delhi Congress Committee and the Satyagraha Asram were declared unlawful on September 17.

*Punjab Congress Committees declared unlawful*.—The following official communique was issued : 'Whereas the Governor of the Punjab in Council is of opinion that the associations, hereinafter notified, interfere with the maintenance of Law and Order and constitute a danger to the public peace ; Now, therefore, in exercise of the powers conferred by Section 16 of the Indian Criminal Law Amendment Act, 1908, the Governor of the Punjab in Council is pleased to declare the said associations to be unlawful associations :—Notified Unlawful Associations : All Congress Committees in the Punjab.—The Congress Committees having been banned in the Punjab, the Congressmen started the practice of civil disobedience movement through one person per centre who was designated as the dictator of the 'war council.'

- 22nd.** *Arrests and Convictions*.—Seven members of the ninth Bombay "War Council" were convicted and sentenced on a charge under Section 188 I. P. C. for continuing the publication of the "Congress Bulletin" in defiance of the prohibitory order. Mrs. Ramiben Kamdar, President and Miss Dilshad Sayyad, Editor of the "Congress Bulletin," were awarded three months' simple imprisonment each. Sjt. Dalpatram Pathak, Vice-President, Sjts. K. C. S. Pannikar and Jag-mohandas Parekh, Secretaries, Sardar Jamiat Singh, G. O. C. of Congress Volunteers and Sjt. S. H. Dhru, member of the "War Council" were sentenced to four months' rigorous imprisonment each.—At Delhi 37 Congress volunteers were convicted to three months' rigorous imprisonment and a fine of Rs. 50 each or one and a half month's further rigorous imprisonment in default, under the

Picketing Ordinance. Maulana Arif Hasvi, Mohd. Ishaq, Kidarnath Pragnath and Premnarain Beniprasad were arrested for being members of an unlawful assembly under Section 17 (1) Criminal Law Amendment Act.

**23rd.** *Mr Asaf Ali* the third 'Dictator' of the Delhi "War Council" was sentenced to undergo 6 months' simple imprisonment under Section 17 (2) of the Criminal Law Amendment Act.—*Mr. Amritlal Thakkar*, member of the Servants of India Society was sentenced at Kaira to suffer six months' rigorous imprisonment in connection with picketing.—The members of the Second Ranpur Enquiry Committee, who were arrested for defying the prohibition order of the District Magistrate, were convicted and sentenced to two months' rigorous imprisonment and a fine of Rs. 250 each, in default one month's more rigorous imprisonment.

**25th.** *Police Satyagrahi Conflict at Panvel—Magistrate succumbs to gun-shot wounds* :—There was a serious firing by police at Panvel resulting in heavy casualties, both killed and wounded. About eight persons were killed and about fifty were wounded. Those killed included Mr. Joshi, Magistrate, and one Forest Ranger. The inhabitants of Panvel and the other adjoining villages had been carrying on forest Satyagraha. According to official version the trouble started when the people expressed a desire that the handcuffs on the arrested leaders should be removed. The Magistrate was agreeable, but the Inspector demurred on the ground that the arrested persons might get mixed up with the crowd. The Inspector's attitude aroused resentment among a portion of the crowd which, according to the police version, indulged in abuses and shower of the branches of trees cut by them. Their resentment was especially directed against the Inspector who, however, on his own admission, was protected by the Congress volunteers forming a cordon round him and the prisoners and even supplying him with khadi outfit to enable him eventually to escape. All this happened on the northern edges of the forest clearing. Suddenly, however, fire was opened by 15 armed police who were standing a few paces to the South. That the Magistrate did not order fire was clear from the fact that he cried out "Who ordered fire?" as he dropped mortally wounded almost by the first shot. About 100 rounds were fired, and firing ceased only when ammunition was exhausted.

*Picketing in Utkal* :—As a sequel to picketing of polling booths, Srimati Malati Devi, Secretary of the Cuttack Congress Committee and Pandit Lingaraj Misra, President of the Utkal Congress Committee, were arrested together with five lady and 100 men volunteers. Srimati Malati Devi and Pandit Misra were tried and sentenced to 6 months' simple and rigorous imprisonment respectively. Three volunteers were given 3 months' imprisonment and 38 others including five ladies were sentenced to imprisonment till the rising of the court while the rest of the volunteers were let off.

*Ruffians let loose at Bombay Meeting* :—About 25 persons were injured as the result of continued stone-throwing by some hooligans who created trouble at the Congress meeting held in the night to repudiate the supporters of the Round-Table Conference. Mr. Abdul Rahman Mitha, 'War Council's Vice-President, presided. Everything went well until the resolution denouncing the Round Table Conference and its supporters was passed. The meeting was about to disperse when a hundred rowdies with war cries of "Shaukat Ali Zindbad" threw a shower of stones on the dais, injuring several including the Chairman. The injured was mostly Moslem Congress workers and volunteers. About fifty policemen and sergeants rushed to the scene and restored order after dispersing the crowd with lathi charge, which, however, did not cause material injuries. The area was thrown into panic for about an hour.

*Daspur Riot Case* :—Of the 33 accused in the Daspur Sub-Inspector murder case, tried by a Special Tribunal, 26 were charged with being parties to a Criminal Conspiracy to commit murder of public servants engaged in the suppression of the Civil Disobedience campaign in the Ghatal sub-division, while 14 were charged with causing the death of Sub-Inspector Bholanath Ghose and one with kidnapping the Junior Sub-Inspector. The remaining seven were discharged, but four of them were detained in connection with another case.

**26th.** *Police Firing at Moradabad* :—Some members of the police force were injured and forty-six of the crowd were removed to hospital as a result of a clash at Moradabad between a mob and the police during which the latter opened fire. One amongst the mob later died at hospital. A Government Communique stated :

'Information has been received from the District Magistrate of Moradabad that Congress volunteers picketed the Town Hall in the morning where votes for the Muslim Urban Constituency of the Legislative Council were to be recorded. A crowd rushed into the Town Hall and destroyed the ballot papers etc. A number of picketers were arrested. The crowd subsequently made another attempt and pelted the police and officers with brickbats and refused to disperse in spite of repeated warnings. The police were compelled to fire. Forty-six persons were admitted into hospital of whom one died. Some police were also injured.'

**29th. Peaceful Picketing "no offence"—Bombay High Court's Ruling :—**A most important ruling regarding the proper interpretation of the Picketing Ordinance was given by Justices Madgaoker and Barlee at the Bombay High Court in disposing of the reference made by the Sessions Judge of Thana in the case of Mrs. Lukmani. Their Lordships held that though Section 3 of the Ordinance was directed against obstruction to a shopkeeper in his lawful business, peaceful picketing could not be construed as such obstruction, even though in the long run it might result in loss to the shopkeeper. The object of the Ordinance, observed Mr. Justice Madgaoker, was to provide against actual molestation or intimidation of the shopkeeper himself; while a picketer was usually concerned in persuading a customer, and not the shopkeeper. If peaceful picketing, like that of Mrs. Lukmani, was held to be an offence then even ordinary temperance work would be punishable under the Ordinance. Criticising the severity of the sentence passed on Mrs. Lukmani, Mr. Justice Madgaoker observed that it might be considered vindictive, and that respect for law was still further undermined by such sentences which defeat their very object and produce the contrary effect to that which is intended (viz, enforcing respect for law).

**Congress Leaders accused of "Double Dealing" :—**Viceroy's apportionment of "Guilt":—Lord Irwin, in course of a lengthy speech, in reviewing the present political situation at the farewell banquet given to His Excellency by the members and Ministers of the Punjab Government at Simla, characterised the Congress refusal to participate in the forthcoming Round Table Conference as "a great betrayal" by that body, "of a tragic lack of foresight and bankruptcy of statesmanship". The demands put forward by the Congress during the peace negotiations were, according to the Viceroy, "amounting to a total and blank refusal to face facts" on the part of the leaders who "have assumed a heavy responsibility, for which history will assuredly not hold them guiltless". He referred to how he could have brought about peace, if he had given private assurance on the constitutional issue, and he said he refused to do any such things as he abhorred that kind of "secret diplomacy to buy off the Civil Disobedience Movement." He deplored the spirit of defiance that is manifest throughout the whole country, and for the present economic crisis, trade depression and similar sorts of evils, held the Congress responsible. He also spoke at length of the Civil Disobedience movement and said:—"If ever there was phrase by which those who first employed it unconsciously sought to deceive themselves and others into blind disregard of certain consequence of their action, that phrase is non-violent Civil Disobedience."

## October 1930

**Chief Events :—**Congress Committee and allied associations declared unlawful throughout the country—Lahore Conspiracy Case Judgment delivered—Unlawful Associations Ordinance Promulgated—Police occupation of Bombay Congress House—Ptes. Jawaharlal and Govinda Malaviya and Spts. J. M. Sen Gupta and C. Rajagopalachariar arrested and convicted.

**1st. Arrests and convictions :—**Mrs. Motibai, Congress propagandist, arrested and tried at Wardha, was convicted and sentenced to 4 months' simple imprisonment. —Miss Khursedbehn, grand-daughter of the late Dadabhai Naoroji arrested at Ahmedabad. She was sentenced on the 3rd. to one month's S. I. and a fine.

of Rs. 25.—Dr. Hariprasad Mehta, Secretary, Gujarat Provincial Congress Committee arrested at Ahmedabad at the Railway Station.—Miss Renuka Sen and Kamala Das-Gupta, arrested in connection with the bomb outrage in Calcutta, were placed before the Chief Presidency Magistrate and were remanded.

- 2nd.** The Bombay Congress Committee launched an experimental measure of "military training" in connection with the formation of the nucleus of the Congress "Army." Thirty volunteers were selected for "military training" and placed under the charge of Mr. Patwardhan, till recently a lieutenant in the Royal Air Force.

The procession of satyagrahis which started to perform mass civil disobedience in Ranpur was stopped by the police, who dispersed the procession arresting 40 volunteers. When the first batch was stopped, a second batch went out, and collected contraband salt from deposits, and sold ten maunds in the market.

- 3rd.** *Bombay celebrated Gandhiji's Birthday* :—A most imposing procession of women, breaking the previous records, paraded the important thoroughfares of Bombay to celebrate Gandhiji's birthday, and terminated at Esplanade Maidan, where a public meeting was held. The meeting was addressed by a number of ladies, all of whom paid a tribute to Gandhiji and exhorted the audience to take to khaddar. Simultaneously, the Parsees held a meeting under the auspices of the Parsee Rahykasabha where a number of speakers paid a tribute to Gandhiji.

- 4th.** *Lahore Police Superintendent shot at* :—Khan Bahadur Abdul Azeez, Superintendent of Police, Lahore, formerly head of the prosecuting agency in the Lahore "Conspiracy" case, was shot at while motoring on the bank of a canal, one mile off Lahore. His driver and one police constable, sitting in the car, were wounded. In all about fifteen shots were fired, none of which luckily hit the Khan Bahadur.

*Moradabad Congress Office Raided* :—The Moradabad district and city Congress committees having been declared unlawful on the 2nd, the Congress office was raided by the police and registers and other things were removed. Maulana Fakhruddin, president, and Maulana Mohammed Mian, secretary, Jamiat-ul-Ulema, both being also members of the Congress executive committee, and a few others were arrested.

*Lathi Charge at Roorkee* :—About 6,000 volunteers from different villages gathered at Roorkee to attend a political conference, but on the previous day an order under Section 144 Cr. P. C. had been promulgated, prohibiting gatherings of more than five persons. Batches of volunteers were sent to defy the prohibitory order. The Joint Magistrate ordered a lathi charge, as the result of which two constables and several Aman Sabhaites were injured. The Police retired and came back soon armed with rifles, and fired two rounds. Thirty persons were arrested and twenty persons were admitted to the Congress Hospital.

*U. P. Congress Committees Unlawful* :—A United Provinces Government Gazette Extraordinary issued the following :—Whereas the Governor in Council is of opinion that all Congress Committees in the Meerut district interfere with the administration of law and with the maintenance of law and order, it is hereby declared by the Governor in Council under section 16 of the Indian Criminal Law Amendment Act, 1908, that the said committees are unlawful associations. Whereas the Governor in Council is of opinion that the associations at present known by the name of (1) Working Congress Committee, Bulandshahar, (2) Tahsil Congress Committee, Bulandshahar, (3) Zila Congress Committee Bulandshahar, (4) Tahsil Congress Committee, Sikandarbad and (5) Tahsil Congress Committee, Khurja, interfere with the administration of law and with the maintenance of law and order, it is hereby declared by the Governor in Council under section 16 of the Indian Criminal Law Amendment Act, 1908, that the said associations are unlawful associations.

- 6th.** *Arrests and Convictions* :—The members of the Bombay "War Council" arrested in connection with the publication of the Congress Bulletin, viz. Mr. V. P. Shah, President of the "War Council" and four other members, were sentenced to four months' R. I. each. The editor of the "Congress Bulletin" was sentenced to three months' S. I.—Mr. Laxmana Rao Sherlekar, President of the Central Provinces Marathi "War Council" did not take part in his trial, but filed a written statement



justifying his speech. He was sentenced to six months' rigorous imprisonment—Mr. Hariprasad Mehta, Secretary of the Gujrat Provincial Congress Committee sentenced to two months' rigorous imprisonment and a fine of Rs. 250 in default to one month more.

*At the Indian Labour Party's Conference at Llandudno* Mr. Fenner Brockway, on behalf of the Independent Labour Party, moved a longworded resolution extending "greetings of solidarity to Indian people in their struggle for political and economic freedom" and urging Government to end the "function of serving as the policemen of Imperialism." Mr. Brockway declared that the Government were responsible for the severest regime of repression in India since the mutiny. Com. Kenworthy said that Britain was obliged to act in India as policemen putting down disorder and keeping down crime. When he visited India, Mr. Gandhi and other Nationalist leaders told him that British withdrawal from India would mean chaos, bloodshed and suffering. Com. Kenworthy declared that Indians must be given equality of treatment in the Empire and pleaded that Lord Irwin should be succeeded by a representative of Labour Government. Miss Susan Lawrence declared that the world slump was the cause of unemployment which was the price workers paid for the capitalist system. Referring to India she deeply regretted that the Congress leaders had decided not to grasp the opportunity furnished by the Round Table Conference "but our duty is plain. We must on the one hand resist the clamour of those who believe that force is the remedy in their hearts desiring British dominion. On the other hand, it is clear that we must hand to India herself unimpaired the respect for peace and order without which all progress is impossible. We seek a settlement by consultation and consent."

**7th. Lahore Conspiracy Case Judgment:**—Judgment was delivered after a protracted trial in the Lahore Conspiracy Case by the Special Tribunal in the Lahore jail. Bhagat Singh, Suk Dev and Rajguru were awarded capital punishment while Kishorilal, Mahabir Singh, Bijaya Kumar Singh, Shib Varma, Gaya Prasad, Jay Dev and Kamal Nath Tewari were sentenced to transportation for life. Kundanlal was sentenced to 7 years' and Prem Dutt to 3 years' rigorous imprisonment. Ajay Kumar Ghosh, Jatindranath Sanyal and Des Raj were acquitted. It may be recalled that all the accused were being tried on a charge of murder as well of conspiracy to murder the late Mr. Saunders, Assistant Superintendent of Police, Lahore.—In connection with the death sentences hartal and other protest demonstrations were held at Lahore, Bombay, Delhi, Allahabad, Amritsar and other places in North and West India. At Lahore picketing of colleges by students, women included, was started which led to the arrest of seven ladies and more than thirty students. The D. A. V. College of Lahore was the scene of some police activities, and the students passed a resolution contemplating legal action against the police. In Bombay the schools, cloth mills, workshops and tramway were closed.

**8th. Pandit Krishna Kant Malaviya**, Editor of the "Abhudaya," of Allahabad, was sentenced at Cawnpur to 1 year's R. I. under Section 124-A, I. P. C.

Five students were sent to hospital as the result of lathi charge by the police at Lahore while there was picketing before schools and a number of persons were arrested.

**Kolaba Congress Committees declared unlawful** :—A Gazette Extraordinary notified that the Governor in Council declared several Congress and allied organisations in the Kolaba district, including the Panvel Congress Committee and the Satyagraha Mandal, unlawful associations as they interfered with the administration of law and the maintenance of law and order and constituted a danger to the public peace.

*At the plenary Session of the Imperial Conference* held in London the Indian spokesman Sir Geoffrey Corbett said that India was ready to encourage development of imperial trade but was unable to depart from her present policy of discriminating protection. Therefore she was unable to commit herself to any general scheme of tariff preference within the Empire but must reserve complete freedom to deal with each case as it arose.

**9th.** Seventeen women, arrested in Lahore for picketing colleges, were placed on trial and they went on hunger-strike for a day as a protest against the convictions of Conspiracy Case prisoners.

**10th. Unlawful Associations Ordinance promulgated:**—His Excellency the Viceroy promulgated Ordinance No. IX of 1930 called the Unlawful Associations Ordinance 1930, to make further provision against associations dangerous to the public peace. The Ordinance will enable the local Governments to take effective measures for occupation of the immovable property and for forfeiture in certain conditions of the movable property used for the purpose of any association declared to be unlawful under the Criminal Law Amendment Act.

**Convictions:**—Having been charged under section 2 of Ordinance 5, for picketing the Lahore Colleges on October 8, 15 ladies including three Zutshi sisters, were sentenced to undergo one month's simple imprisonment and pay a fine of Rs. 50 in default two weeks more. An old lady of 60 was acquitted for want of evidence.

**Police firing at Seoni:**—A police party went to attend the forest Satyagraha at Turia village, Seoni district. After persuasion the Satyagrahis abandoned their intention. While returning home the police party met a large crowd who attacked them with lathis and stones. The police opened fire killing one man, one woman, and injuring 17 persons. The mob dispersed. Several persons were arrested.

**11th. A public meeting at Essex Hall under the auspices of the London branch of the Congress** attended by about 150 Indians and a contingent of British Communists, passed a unanimous resolution expressing its support of independence for India and severance from the British Empire and determining to bring every pressure upon the Government to withdraw "the armies of occupation." A further resolution declared that world peace, disarmament and economic reconstruction were only achievable by the united struggle of peasants and workers for the independence of India and other conquered countries. The meeting also contemptuously rejected the Round Table Conference and repudiated those participating in it as betrayers of the national cause.

**Arrests and convictions:**—Maulana Mufti Kifayatullah, President of the Jamiat-ul-ulema-i-Hind, and member of the Congress Working Committee, was arrested under Sec. 17 (a) Criminal Law Amendment Act.—Mr. Ratanlal Khandwala, President and Mr. Ratilal Nathubhai Jaruwala, the Secretary of the first Surat "War Council", respectively, was sentenced at Surat, under sections 17 and 123 to one year's rigorous imprisonment, and Rs. 300 fine under Section 117 and 6 months' rigorous imprisonment under Section 143, both the sentences to run concurrently.

**Congress Organisations declared unlawful in Bombay:**—The Bombay Governor extended the Unlawful Associations Ordinance to the whole of the Bombay Presidency to come into force from this day. The Gazette contained a schedule of the associations declared unlawful, affecting 74 Congress organisations in Ahmedabad, Broach, Surat and Kaira districts.—At Ahmedabad Police with about 30 to 40 armed constables, raided the office of the Gujarat Congress Committee and arrested Mr. Morarji Desai, the fifth Secretary. The Police sealed the main office and the offices of various other committees of the district and the city.—In Bombay about one hundred policemen surrounded the Ville Parle Satyagraha office and occupied the building. They arrested about 60 inmates including Professor Dharmanand Kosambi, the "Dictator".—Swaraj Ashrams at Surat and Bardoli and the Broach Sevashram were occupied by the police and the inmates arrested.

**12th. New Congress Camps opened:**—In view of the new Unlawful Associations Ordinance which had as its object the forfeiture of properties, the Bengalitolla Congress Committee of Benares held its office under a peepul tree in the Chittaranjan Park.—Similarly, a number of Boards of the Gujarat Provincial Congress Committee were set up in the different streets of Ahmedabad.—A new Congress Camp was opened by the Ville Parle Satyagrahis at Bombay and Mrs. Kamalaben was elected President. The Satyagrahis brought out a procession and manufactured salt. Two Congress Offices were locked up at Panvel and stationeries seized and a third office was started.

**13th. Convictions:**—Maulana Mufti Kifayatullah, President, Jamiat-ul-Ulema and member, Congress Working Committee, and Maulana Ahmed Sayeed, Secretary, Jamiat-ul-Ulema, and Dictator, Delhi "War Council", was sentenced to six months' simple imprisonment each.—Mr. Dadubhai Desai, "Dictator", Kaira District, sentenced to undergo five months' rigorous imprisonment and to a fine of Rs. 500 in default

to undergo further rigorous imprisonment for a month and a half. Srimati Bhaktalakshmi, wife of Darbar Gopal Dasai, was appointed "Dictator" of the Kaira District in the place of Mr. Dadubhai Desai.

*Raid in Howrah as sequel to foreign cloth burning:*—Simultaneous raids were conducted in Howrah town and suburbs in the course of which 53 youngmen belonging to different districts were arrested. The raids were connected with the burning of foreign cloth by the Congress volunteers in a village in the jurisdiction of the Jogacha police station. The Santraghachi Congress office was raided and kept under lock and key by the police in this connection. The Belilios Park Congress camp, Howrah, was also searched and the officer in charge of the Congress volunteers arrested. The Howrah Congress office was also searched and three volunteers were arrested. Eight of the men were subsequently released, the remaining forty-five were sent up on various charges including rioting.

**14th.** *Srimati Parvati Devi*, daughter of the late Lala Lajpat Rai, and an active Congress worker, was arrested at the Lajpat Bhavan, Lahore under section 124-A (sedition). Since the early hours of the morning, a large posse of constables with three Sub-Inspectors besieged the place and all routes leading to it, especially Golbagh, were strongly guarded by them.

**15th.** *Police Occupy Bombay Congress House:*—About a hundred police, armed with lathis, and twenty-five armed police, under a dozen officers, raided the Bombay Congress House and arrested all the inmates numbering sixty-one including twenty-five boys under fifteen. The National Flag on the Congress House was hauled down and the Union Jack hoisted in its place. About a dozen other allied organisations were also raided simultaneously, including the volunteers' camps throughout the city, the Ward Congress Committees and the Desh Sevika Sangha. All the raided organisations were locked up by the police. The arrested numbered 250 including S. J. Nagindas, President of the Bombay "War Council." The police seized two Congress motor cars and three cycles. S. J. Nagindas and Nariman were sentenced to six months' simple imprisonment and others were sentenced from three to four months' rigorous imprisonment. As a protest against the raid on the Congress organisations and the wholesale arrests, merchants of their own accord closed their shops and observed one week's hartal. The Bombay Stock Exchange closed immediately after hearing the news of the arrests.

**16th.** Over 250 persons, including six Congress office bearers, were again arrested in Bombay. Among the latter were Mr. Aziz Hussainbhai Lalji, Secretary of the "War Council" and Mrs. Amrut Kaur, a Sikh lady member of the "War Council". Most of the other arrested persons were members of Prabhat Ferris (morning singers) who came out as usual in the morning in spite of the ban placed on them. The police made a series of light lathi charges near the Marhawawadi police station where crowds had collected. A few persons received injuries. Mr. Usman Shobhani, the new "Dictator" of the Bombay "War Council" declared the new Congress House open by hoisting the National Flag. 'Bombay had taken up the Government's challenge and opened the new Congress House' he said, 'and was prepared to open others if necessary'. The Mandvi people pasted posters on their walls with the inscriptions "Mandvi Congress Committee, Bombay Provincial Congress Committee." The police raided the new Congress House and arrested two persons. Office bearers of the "War Council" and other Suburban Congress Offices were placed on trial and sentenced from three to six months' imprisonment. Bombay observed complete hartal and the Corporation meeting was adjourned as a mark of protest against Government action.

**17th.** *Swaraj Bhawan Raided:*—Swaraj Bhawan, Allahabad, where the All India Congress Committee office was housed, was searched by the police for nearly three hours. They seized copies of the Working Committee reports, bulletins and letters. Other places were also searched and copying machines seized. The searches were made under section 5 of Ordinance 7 of 1930 in connection with an unauthorised news sheet, "Kranti", alleged to be published by the local Youth League.

*Mr. Usman Sobhani*, the new "Dictator" of the Bombay "War Council" was arrested and sentenced to six months' R. I. and to pay a fine of Rs. 300

in default three months' further imprisonment for being a member of an unlawful association. Mr. B. N. Mehisheri also was sentenced under the same section to six months' R. I. and to pay a fine of Rs. 200 with the alternative of six weeks' further imprisonment.

*Trouble in Faridpur Jail* :—Political prisoners in the Faridpur Jail, about 15 in number, were alleged to have attacked the warden on duty and severely assaulted him. Later these men were joined by the detenues and as all of them refused to disperse when called upon to do so and took up a defiant attitude they were forced into their respective wards. As a result of this about 30 of them were slightly injured in addition to several other warders.

- 18th. *At the Delegate Conference of the Independent Labour Party at the Memorial Hall in London on the situation in India* Mr. Reginald Reynolds said that when sufficient nucleus and support was obtained in this country they should, whilst maintaining non-violence, resort to direct action and systematic law-breaking as a protest against the abominable treatment of India by the Labour Government. Mr. Brockway said that if what was happening now had occurred under a Liberal or Tory administration the Labour platforms would be ringing with denunciations of the "series of ordinances as tyrannical as anything under the Fascist rule in Italy." He added that Independent Labour stood definitely for full independence, release of political prisoners and the withdrawal of troops. Mr. Bridgman and others passionately protested against all talk of Dominion Status or discussion of terms.

*Convictions* :—Mr. Faridul Huq Ansari, second "Dictator" of Delhi "War Council" sentenced to 5 months' simple imprisonment; Mr. Ismail Surti, vice-president of the Bombay War Council to six months' rigorous imprisonment and a fine of Rs. 500, in default to three months' further imprisonment, for being a member of an unlawful association.

- 19th. *Pandit Jawaharlal Nehru arrested* a little after nine o'clock in the night while returning home after a public meeting at Purushothamdas Park, Allahabad, near "Ananda Bhawan." Pandit Nehru was lodged in the Naini Jail. Bombay, Karachi and Allahabad observed hartal as a protest against the arrest. Bombay markets remained closed. A procession was arranged at Karachi under the leadership of Miss Shamkumari Nehru. A public meeting was held at Allahabad where S. J. M. Sen-Gupta and Mrs. Munshi addressed the gathering.

*Police activities in Bombay* :—Haji Noormahomed Ahmed, the President of the "War Council" was arrested at Hala Memon Jamatkhana. He was taken to the Esplanade lock-up. His arrest roused considerable enthusiasm in the locality and about two thousand Muslims gathered near the Jamatkhana.—There were several 'lathi' charges on Prabhat Pheris and a number of persons were arrested. The parade of the Vanar Sena (Young boys and girls) was also dispersed by force by the police and a 15-year school boy was beaten by a sergeant and then marched to the lock-up. The Congress Red Cross Ambulance Brigade, too, was not allowed to have stretcher drill at Gowala Tank Maidan and was ordered to disperse by sergeants. There were frequent 'lathi' charges near Crawford Market, where Congress volunteers were picketing foreign wine and liquor shops. 45 pickets were arrested. In the suburbs the police were active. Satyagraha Chavani at Ville Parle was raided by the police and two volunteers were arrested. Chembur and Ghatkopar Congress Offices were also raided. The arrests in the suburbs included Messrs. Chemburkar, B. D. Kora, R. D. Baliwalla and Chunilal Barfiwalla.

- 20th. *A meeting of the Native Piece-Goods Merchants Association, Bombay*, by an overwhelming majority passed a resolution rescinding its resolution of the 13th of October to reopen the market for clearing the stock of foreign cloth now on hand. The meeting also declared a prolonged hartal for an indefinite period and enjoined upon members not to purchase any new stock of foreign cloth.

- 21st. *Cawnpore Congress unlawful* :—An extraordinary issue of the U. P. *Gazette* declared all Congress Committees in Cawnpore district and certain other allied organisations as unlawful associations. The Cawnpore Congress Committee Office was locked up by the police.

*Arrests and Convictions* :—Miss Somji, President, Bombay "War Council" was arrested when she was addressing a public meeting in Parel, which had been declared unlawful. She was sentenced on the 23rd to six months' S. I.—Mrs. Avantikabai

Gokhale, member, Bombay Corporation, and a prominent social worker, was nominated the next "Dictator" of the Bombay "War Council."—Mr. Noor Mohamed Ahmed, 'dictator', Bombay 'War Council' was sentenced to six months' rigorous imprisonment and a fine of Rs. 500 in default to three months' further imprisonment under sec. 17, Criminal law Amendment Act, for being a member of an unlawful association. Three members of Prabhat Pheris were also sentenced to two months' rigorous imprisonment and a fine of Rs. 50 in default six weeks' further imprisonment. Mr. Abdul Gafur, vice-President of the Bombay 'war council' was sentenced to six months' rigorous imprisonment and Rs. 300 fine, in default three months' further imprisonment under sec. 17 of the Criminal Law Amendment Act for being member of an unlawful association. Eleven others arrested in the same connection were sentenced to four months' rigorous imprisonment and Rs. 100 fine in default six weeks' further imprisonment under the same section. Over 100 Congress volunteers and members of *Prabhat Feris* arrested on this day were remanded to jail.—Maulvi Abdul Kader, pleader of Jessore, was arrested by the Khulna police under the Intimidation Ordinance while assisting in the picketing of excise shops at Khulna. He was convicted and sentenced to four months' rigorous imprisonment.

**24th. Pandit Govinda Malaviya**, General Secretary of the A. I. C. C., was arrested at the Naini Central Jail premises just after the trial of Pundit Jawaharlal Nehru. The arrest was under Sec. 124-A, I. P. C. in connection with the speech he delivered on the 8th October last.

*Police attacked by mob* :—At a Congress meeting in a village in Moradabad district the police were attacked by a mob and in consequence of which the police were compelled to open fire in self-defence. The casualties reported were one sub-inspector, one head-constable and one constable seriously injured, two sub-inspectors and seven constables slightly injured, and three rioters injured.

*Congress Committees in Surat declared illegal* :—The Bombay Government extended the Ninth Ordinance in the Surat District declaring the Surat District Congress Committee, Surat City Congress Committee, Chorasi Taluka Congress Committee and the "War Councils", Surat City and District, as unlawful associations. A number of arrests of prominent Congress officials took place as a sequel to the raiding of the offices of these associations.—A whole village in Bardoli evacuated as a result of the serving of notices on the peasants to pay Government dues in three days.

*Congress activities in Bombay* :—A new Congress House was opened in Bombay at Bhuleshwar. A number of saffron-saried volunteers went round the city delivering street corner lectures exhorting people to carry on the struggle. The Parel Congress House was raided for the fourth time and two volunteers were arrested. There was a lathi charge on crowd that had gathered to watch the raid. A sergeant was alleged to have assaulted a Congress Volunteer for 15 minutes for refusing to part with the tri-coloured flag in the Byculla Congress Office. Picketing was going on as usual. Women volunteers were seen on duty in Fort, Mulji Jetha Market, Charni Road and Cut Piece-goods Market. Eight volunteers were arrested at Jackaria Musjid for shouting Congress slogans. Volunteers picketed the shops in Cut Piece-goods Bazar and they were arrested.

**25th. Arrests and Convictions** :—Mr. J. M. Sengupta, Acting Congress President was arrested in Jallianwala Bagh, Amritsar for disobeying orders under Section 144 prohibiting him from making a speech, Sj. C. Rajagopalachariar, who was served with summons to show cause why he should not furnish a bond for keeping peace for one year, was sentenced to detention for a period of one year on his refusal to furnish the bond.

**26th. Flag Salutation in Bombay**—*Heavy lathi charge by Police* :—Despite the police ban the Congressites proceeded with the Flag Salutation ceremony in the Esplanade Maidan, Bombay. The Police Commissioner had taken elaborate measures to frustrate all attempts at actual Flag Salutation. All the Deputy Commissioner headed by the Commissioner himself as well as sixty sergeants, thirty 'sowars' and armed and foot police carrying about five hundred lathis were in the Maidan which by 8 a. m. was crowded by large numbers of spectators and others. Mrs. Avantikabai Gokhale, the president of the "War Council" arrived and planted the flag in one corner of the Maidan which was followed by a surge forward by the crowd. Foot and mounted police charged the crowds and dis-

persed them as they came. At the same time the women volunteers were taken into custody and three batches of men volunteers were similarly arrested. After the first general lathi charge, most of the Congressites withdrew from the scene as the days function was over. But the crowds continued to collect in batches at different parts of the Maidan and shout their usual slogans when the mounted and foot police continued to rush at them, charging them with lathis. As soon as one batch was dispersed another took its place and the police moved too. Things continued in this way until 11 a. m. by which time the police charged the crowds no less than a dozen times. By this time the crowds gradually melted away and the main body of the police was removed. Thereupon the entire crowd dispersed. Two hundred and thirty-five persons were injured as a result of the lathi charge. Just before the general lathi charge the police arrested forty-two women and thirty-five men volunteers. Twenty women volunteers were later taken away in a police van and released outside the city while the remaining twenty-two and all thirty-five men were kept in the police lock-up. The city observed hartal as a protest against the lathi charges. Next day, during the trial of 22 women arrested in connection with the Flag Salutation Ceremony, the Advocate who appeared on behalf of some of the accused stated before the Court that when the women prisoners were taken to the charge room, a sergeant uttered indecent words to some of the ladies. It was further reported that the same sergeant went to the lock-up at about mid-night and made indecent gestures to the girls. The sergeant was identified in court by the accused ladies.

- 27th. Benares Congress office raided: Congressmen Sentenced ;**—The Police thrice raided the Bengalitola Congress Office and Camp at Chittaranjan Park, Benares, seized the flag and signboards, and arrested the volunteers' captain and two others. The Police also made lathi charge against the volunteers resulting in injuries to six, three being volunteers, and three onlookers.—The city magistrate sentenced Babu Thakur Das, advocate, to three months' simple imprisonment and a fine of Rs. 400, in default, further six weeks' imprisonment. Babu Rameshwar Sahai Sinha, education superintendent of the Benares municipality and Pandit Jagannath Prasad Sharma to three months' rigorous imprisonment and a fine of Rs. 200, in default further one month. Messrs. Gyanchand, Madan Lal Kapoor, Vireshwar Iyer, Satya Narain and Durgadas Bhattacharjee to three months' rigorous imprisonment.

**Chechuahat Riot Case Judgment :**—The Special Tribunal in Midnapore delivered judgment in the Chechuahat Riot case sentencing Kshitish Mondal and seven others to two years' rigorous imprisonment each, one to 18 months' rigorous and 27 to 6 months' rigorous each. Four accused were acquitted. The accused were charged with rioting at Chechuahat and forming an unlawful assembly of 5,000 men and refusing to disperse. The Police opened fire, resulting in 12 being killed and 50 wounded.

- 28th. Mrs. Avantikabai Gokhale,** President of the Bombay "War Council" was sentenced to undergo 6 months' simple imprisonment under Section 17 (1) and 6 months' imprisonment, under Section 17(2) and a fine of Rs. 400, in default to undergo imprisonment for three months more. She nominated Mr. Harindram Chatteropadhyaya, a well-known poet and dramatist, as the next Dictator" of the Bombay "War Council."

- 29th. Delhi Meeting dispersed : Mrs. Sen Gupta arrested :**—The Congress took out a procession and held a public meeting in the Queen's Garden, Delhi when the Delhi "Dictator" Dr. (Mrs.) Veda presided. Amongst those present was Mrs. Sen Gupta. The City Magistrate, along with the Deputy Superintendent of Police, reached the spot where the meeting was in progress, and arrested a man reciting a seditious poem. This enraged the crowd, and one of them was alleged to have thrown a stone which hit the Magistrate in the eye, breaking his eye-glass and wounding him. Thereupon the Magistrate ordered the crowd to disperse within five minutes which they did not do, and a lathi charge was made, resulting in minor injuries to a few. Mrs. Sen Gupta and a number of Congress volunteers were arrested as being members of an unlawful assembly and on other charges. Mrs. Veda, "Dictator," Congress Committee, and Mr. Shiv Narain Haksar were among the others arrested. Mrs. Asaf Ali sentenced to execute a bond to be of good behaviour for one year, in default, to undergo one year's simple imprisonment.

**Pt. Jawaharlal convicted :**—The City Magistrate, Allahabad convicted Pandit

Jawaharlal Nehru, President of the Indian National Congress on all the three charges. On the first charge, (making seditious speech) the Magistrate sentenced him to eighteen months' rigorous imprisonment and a fine of Rs. 500 in default three months' further rigorous imprisonment. On the charge of abetment of breach of salt laws the Magistrate sentenced him to six months' rigorous imprisonment and a fine of Rs. 100, in default one month. On the third charge (instigation to non-payment of taxes) the Magistrate sentenced the Pandit to six months' rigorous imprisonment and a fine of Rs 100, in default one month. The two latter sentences will run concurrently and were in addition to the first sentence which made a total of two years' rigorous imprisonment and a fine of Rs. 700.

**30th. Congress declared unlawful in Behar and Orissa :—**The Government of Behar and Orissa issued the following notification :—'Whereas it appears to the Governor-in-Council that certain persons belonging to the body known as the Indian National Congress and others are members of an association having for its objects the molestations of persons attending the coming Sonapur mela in district Saran and promoting the threat of processions and assemblies which are likely to result in the disturbance of public tranquility and whereas the Governor-in-Council is of opinion that this association constitutes a danger to the public peace the (Governor-in-Council by virtue of the powers conferred by sec. 16 of the Indian Criminal Law Amendment Act of 1908 declares the above mentioned association as unlawful.'

**31st. Mr. T. A. K. Sherwani,** former member of the Congress Working Committee, who was convicted in Bombay in connection with the "Tilak Day" procession on August 2nd, was released from the Thana Jail.

## November 1930.

**Chief Events :—**"Gandhi Day" celebration in Bombay—Inauguration of the Round Table Conference in London—"Jawahar Day" celebration throughout the country—Police open fire at Jamalpur—The Calcutta Bomb Case Judgment.

**3rd. Convictions :—**Mr. J. M. Sen Gupta was sentenced to undergo one year's simple imprisonment for sedition, 6 months' imprisonment under the Lustigation Ordinance and 6 months' imprisonment under the Criminal Law Amendment Act, the sentences to run concurrently aggregating to one year's simple imprisonment.—Mr. Jagat Narain Lal, a prominent Congress worker and Secretary of the All-India Hindu Mahasabha sentenced to suffer nine months' rigorous imprisonment under Section 505 of the Indian Penal Code.—Pandit Gobind Kant Malaviya, Secretary of the All-India Congress Committee, was sentenced under Section 124-A, I. P. C. to 18 months' R. I., and to pay a fine of Rs. 500, in default 6 months more.

**Number of Convictions up to August :—**In the Commons, Mr. Benn circulated figures showing that the number of persons convicted of offences not involving violence committed in connection with the political movements, who were in jails in India totalled 23,136. The date of returns varied from province to province but it was generally about the end of August.

A huge procession organised in celebration of the "Jawahar Week" in Allahabad, with effigies on bullock carts, flags, standards, etc., was stopped by the police. Pandit Motilal Nehru and his wife arrived on the scene and addressed the processionists who squatted on the road. The speech was repeated in a loud voice to the audience. The processionists remained sitting on the road till the police cordon was withdrawn.

**Bombay Women condemn Police methods :—**Women of Bombay representing all classes, castes, creeds and communities in the city thronged in their thousands at the Madhav Baug to express their feelings of indignation and resentment against the treatment accorded to their sisters by the Bombay Police at the Azad Maidan

on October 26. More than an hour before the proceedings commenced, women clad in their picturesque saris and mostly wearing the orange coloured uniform of the Desh Sevikas began to pour in the spacious compound of the Baug and their number continued to swell while the proceedings were in progress.

- 4th. *Convictions at Delhi* :—**The following were sentenced under Section 17(1) of the Criminal Law Amendment Act :—Mrs. J. M. Sen Gupta to 4 months' simple imprisonment; Mrs. Bedi, fifth 'Dictator', Congress, to 6 months' simple imprisonment; Mrs. Jairani to Rs. 200 fine or two months' simple imprisonment in default; Pandit S. N. Haksar to 5 months; Mr. F. P. Nayak, Bishamaram Mehta, Mr. Paliwal and Mr. Kanwalchand to 2 months' simple imprisonment each; Mr. Mohdali to 10 months' simple, and 25 Gurkhas to 6 months' rigorous imprisonment.

*Round-up of Women volunteers in Bombay* :—The Bombay City Police paid their attention to the lady volunteers who were so far not touched while picketing in the city. At about 12 noon police lorries from different police stations went to Charni Road, Bhuleshawar, Girgaum, Gamdevi and the Fort and picked up the ladies doing their duties as pickets. About 40 ladies were thus arrested and taken to the lock-ups. The shopkeepers on hearing of the arrests immediately closed their shops to prevent ladies from being arrested. In an hour or two news of the arrest of the ladies spread like wild fire and there was a general hartal in the city as a protest. This was the first time after the anti-Picketing Ordinance came into force that lady pickets had been arrested.

- 5th. "*Gandhi Day*" celebration in Bombay and the suburbs** :—Indian business quarters including business associations, markets and shops observed a hartal both in this connection and also as a protest against the arrest of lady pickets yesterday. Despite the Police Commissioner's ban, the Flag Salutation ceremony was gone through resulting in a lathi charge by the police, injuring three men. About the same time, as the above incidents were taking place on the Choupathi sands, a member of the "People's Battalion" climbed on to the roof of the Legislative Council Hall, situated in the Fort, hoisted the National Flag and put up a board inscribed "The Bombay Provincial Congress Committee." Both these were later removed by the authorities. Despite the Police Commissioner's ban a public meeting was attempted to be held under the auspices of the Bombay "War Council" at Choupathi. Mr. Harindranath Chattopadhyaya, the President of the "War Council" was arrested when he tried to address the meeting. The audience persisted in the attempts to continue the meeting, whereupon the police made several charges with regulation cane-lathis. The Police continued to charge the crowd till 8-30 p. m. by which time the major portion of the crowd had dispersed. While a section of the crowd was going along the Girgaum back-road, they demonstrated before the Marbawadi Police Station shouting slogans. The police charged the crowd with lathis which, it was alleged, grew restive, and a section of the crowd resorted to stone-throwing. Thereupon fresh reinforcements of police were brought, and lathi charges continued till about midnight. It was stated that more than 200 persons had been injured. Mr. Harindranath Chattopadhyaya was sentenced the next day to one year's rigorous imprisonment under Section 17 (1) and (2) of the Criminal Law Amendment Act for being the President of "War Council" and trying to form an unlawful assembly.

*A students' procession in Allahabad* organised by the Congress and led by Mrs. Kamala Nehru, in spite of the order not to enter the Civil Lines, poured into Albert Road but was held up by a cordon of police. The processionists, numbering several thousands, squatted down on the road in front of the police cordon till nearly 10 p. m. when the cordon being removed, the procession moved on towards the city. After passing through Albert, Edmonstone and Stanley Roads, it dispersed in the Purshottamdas Park. A bonfire of foreign clothes, which the processionists had collected, was made at the junction of Albert and Edmonstone Roads.

- 6th. *Convictions* :—**Mr. K. Raman Menon charged by the Police under Section 188, I. P. C. was sentenced to undergo rigorous imprisonment for a period of four months and to pay a fine of Rs. 25 in default to suffer further imprisonment for one month. Mr. P. K. Kunhisankara Menon, Permanent Secretary of the Kerala Congress Committee, was sentenced to undergo rigorous imprisonment for a period of four months and pay a fine of Rs. 25 in default to suffer further imprisonment for one month.



**7th. Activities of Bombay "People's Battalion" :—**Two members of the "People's Battalion" went to the Bombay High Court, pulled down the Union Jack that was flying there, and hoisted a national tri-colour flag in its place. They also put up a board with the inscription "Bombay Provincial Congress High Court." The police appeared on the scene and arrested the volunteers. They were convicted and sentenced to six months' rigorous imprisonment and a fine of Rs. 50, in default to six weeks' further rigorous imprisonment. A Gazette Extraordinary, issued by the Government of Bombay, declared the "People's Battalion", the Bombay Presidency Youth League and all other branch youth leagues, both in the city and suburbs, as unlawful associations. The list published contained the names of eleven associations.

**Protest against Police Behaviour towards ladies :—**The Bombay Corporation, not being satisfied with the Governor's letter regarding the treatment of women volunteers, passed a resolution strongly condemning and protesting against the "unbecoming, unlawful conduct of certain police officers in their behaviour towards ladies on October 26th, and calling upon the Government to hold an immediate inquiry into their conduct, and to take disciplinary action against the defaulting officers and requesting the President to forward a copy of the above resolution to the Government for information and action. Another protest was recorded against the police behaviour towards ladies by Parsis at Blavatsky Hall.

**Convictions :—**Mr. Waman Kabadi, Dictator, Bombay Presidency Youth League, was convicted and sentenced to six months' rigorous imprisonment and a fine of Rs. 100, in default to six weeks' further imprisonment.—Mr. H. D. Raja sentenced under the Criminal Law Amendment Act to six months' rigorous imprisonment. Mr. Raja was previously sentenced to two years' rigorous imprisonment and Rs. 8,000 fine, in default to one year's rigorous imprisonment, for sedition.

**Police firing in Bombay :—**A police party of four officers and about 30 constables, while returning to the station after dispersing a meeting held under the auspices of the Marwari Youth League, was surrounded by a mob in Sheikh Memon Street. Stones were thrown at the police, who when hard pressed, fired six revolver shots to scare the crowd away. One man was injured in the neck by a bullet and one police officer received a cut in the leg. Some constables and other officers received minor injuries, being hit by stones.

**2th. Convictions :—**Srimati Kamalaben Sonawala, "Dictator," Vill Parle Satyagraha Camp, arrested on the 19th October, was convicted and sentenced at Bandhra, to 8 months simple imprisonment and Rs. 200 fine, in default to one month more.—Mr. D. K. Bhatt, Secretary, Mandvi Congress Committee, was sentenced to 6 months' rigorous imprisonment and a fine of Rs. 300, in default to 6 weeks' further imprisonment.

**10th. Serious Riot in Santhal Parganas :—**There was a serious riot in the Godda police station, Santhal Parganas. There was a meeting of the Santhals in the village Bisaha where speeches were delivered inciting the people to break the law by preparing illicit liquor. The chief organisers of the meeting were subsequently arrested and convicted. Then another meeting was advertised. A notice under sec. 144 was issued prohibiting the meeting. When the people began to collect for the meeting the prohibitory order was explained to them and they were persuaded to disperse. But, later on, a band of Dikus, when asked to disperse, became hostile and offered resistance. They attacked the small police party with stones. But the superintendent of police rallied the party who charged with *lathis*. The mob then fled but on their way rescued the men who had been arrested. The superintendent of police, an inspector, 14 constables and nine chaukidars received minor injuries and a sergeant was seriously injured on the head by stones and *lathis* and had two ribs broken.

**11th. Congress Committees declared unlawful :—**"A Gazette" Extraordinary issued by the Government of Bombay declared the Karnataka Provincial Congress Committee and all other organizations, including Youth Leagues, the Hindustani Seva Dal in the Dharwar, Bijapur and Kanara districts as unlawful associations. The list published contained 26 such associations. The same "Gazette" Extraordinary made the Unlawful Association Ordinance applicable to all these, and specifically mentioned 12 bodies.

**Miss Shyamkumari Nehru and Miss Krishnakumari Nehru** were arrested on a charge of being members of an unlawful assembly in connection with the "Jawahar

Week" procession in Allahabad and sentenced to pay a fine of Rs. 50, in default to undergo one month's simple imprisonment. Paudits Sunderlal, Keshav Deo Malaviya and Manzar Ali Sokhta were sentenced to pay a fine of Rs. 50, or in default to undergo one month's simple imprisonment on a charge of being members of unlawful assembly.

**Lathi Charge at Shikarpur** :—Fourteen volunteers including the local "Dictator" Swami Balaram were arrested at Shikarpur. As a protest against the arrests, a procession, six thousand strong, was taken out despite the prohibitory order. The further progress of the procession was checked by the police whereupon the processionists squatted on the road. The police then charged the processionists with 'lathis' in order to disperse them and over fifty persons were reported to have been injured and removed to the Municipal Hospital. A little later the police force was withdrawn and people collected again and formed a procession under the leadership of Sreemati Gangabai and marched to Jumani Hall where a mass meeting was held. Sreemati Gangabai was arrested the next day while she was picketing a liquor shop. She was tried and sentenced to two months' simple imprisonment.

**12th. Convictions** :—Mr. S. G. Ghule of the Marathi "War Council" and seven others, arrested for picketing Council Election Booths in Nagpur, were sentenced to 6 months' rigorous imprisonment with fines varying from Rs. 50 to 300.—Mrs. Anusuyabai Kale, tenth President of the Nagpur "War Council," was sentenced to 4 months' simple imprisonment and pay Rs. 30 fine for abetment.—Sen. Rama Devi, wife of S. J. Gopabandhu Chowdhury, President of the Orissa Provincial Congress Committee now in jail, was sentenced to four months' imprisonment under the Picketing Ordinance.

**Police open fire at Jamalpur** :—The Government of Behar and Orissa in a communique stated :—For the last four or five days, the railway coolies at Jamalpur have made attacks on liquor and toddy shops, being encouraged to do so by the mischievous rumour that the recent rise in the price of foodstuffs was due to the sale of liquor. Police guards had to be posted to protect these shops and on the 8th a large crowd threatened the police and did not disperse till some arrested persons had been released on bail. On the 10th instant a constable guarding a toddy shop was assaulted and on the 12th during the midday interval the constables on duty at a toddy shop were beaten by a large crowd. The assistant superintendent of police was sent there with a force of armed police to arrest persons guilty of assault when they left work in the evening and arrested 10 or 12 persons. On this the crowd opened a fusillade of stones, rescued the prisoners and drove the police back. The crowd refused to disperse after warning and after four or five rounds had been fired continued to advance. A number of policemen were injured, their ranks became broken and the crowd from both sides continued to stone the police who were compelled to fire in self-defence. The assistant superintendent of police succeeded in rallying his men and again gave order to fire. At this time some leaders were hit and the crowd retreated. In all there were 23 casualties, four persons being killed, four dangerously injured and rest slightly injured. Twenty four policemen also received injuries.

**King opens the Round Table Conference** :—For the first time in the history of the British connection with India, the King of England presided over a conference as King Emperor of India and gave royal blessings to the historic gathering called upon to deal with a momentous problem. The scene of the first meeting of the Conference, of profound import to Indo-British relations, was set in the Royal Gallery of the House of Lords and was attended with stately splendour in which the Sovereign was the central figure. The historic hall was packed to its utmost capacity, all available space outside the area reserved for the delegates themselves being crowded with notabilities, British and Indian, in all walks of life.—A *Hartal* was observed throughout India on this day as a protest against the Conference. A procession and a "raid" on the Secretariat was attempted in Bombay despite the Police Commissioner's ban and elaborate police precautions to enforce it. About 25 persons were injured as a result of lathi charges made by the police to disperse the processionists and the crowds which gathered near the Secretariat and the Azad Maidan from where the procession started. The "War Council's" members were arrested.—A procession of about 300 men, organised by the Bengal Civil Disobedience Council, paraded a distance of about a mile in North Calcutta

in defiance of the prohibitory order, and held a meeting. About 45 arrests were made, and several were slightly injured as a result of a lathi charge. The Corporation meeting was adjourned after adopting a resolution recording "emphatic condemnation of the Round Table Conference having regard to the circumstances under which it was constituted and its entirely unrepresentative character."—Bombay, Karachi and other cities in India also gave vent to this universal feeling of indignation.

**14th.** *Hunt for "Jawahar Day pamphlet" in Delhi*.—In addition to the searches made in the afternoon at the offices of the "Hindustan Times" and the Jawahar Press, the police simultaneously searched the "Taj" office, the Mahila Ashram (Ladies Committee) and the residences of Mr. K. Sahani, editor and Mr. K. D. Kolhi, manager of the "Hindustan Times" in connection with a pamphlet entitled "Eight Days interlude," published for the Jawahar Day, to be celebrated on the 16th November. Nine thousand copies of the same leaflet were recovered from the Jawahar Press, which were in the course of preparation. They, along with the type and other materials, were removed by the police. Nothing incriminating, however, was obtained from any other place.—The police also searched the District Congress Committee and took away an empty motor car standing underneath the building. They arrested Kharag Bahadur Singh at the railway station and recovered from him four thousand copies of the pamphlet "Eight Days Interlude."

**15th.** *The Congress Flag floated over the Trafalgar Square* at a demonstration in favour of self-determination for India organised by the London members of the I. L. P. The audience consisted mostly of Indian and British students. Mr. Reginald Reynold, who was the principal speaker, denied that the Congress movement was confined to educated Hindus. He described the Round Table Conference "called in the teeth of the Congress opposition" as a "direct insult to every Indian and a most hypocritical farce ever enacted in England."

*Economic depression of the country not due to Congress agitation*.—Mr. Walchand Hirachand, President, Maharashtra Chamber of Commerce, presenting the third annual report, referred to the severe economic depression and gloomy outlook facing the agriculturists and said that the situation is the direct outcome of the financial, economic and industrial policy pursued by the Government for so many years. Mr. Walchand refused to believe that the Congress agitation had accentuated the effect on the country's economic depression.

**16th.** *The "Jawahar Day" was celebrated* throughout the country in a solemn way.—In Calcutta *National Flags* were hoisted on house-tops in Indian quarters. Leaflets containing extracts from Pandit Jawaharlal's speech were distributed and broadcast by the Bengal Provincial Congress Committee. About ten processions were organised by the Bengal Congress Committee in collaboration with the District Committees and other allied organisations. The Police obstructed the processionists and made lathi-charges. Many volunteers received injuries. The Congress Hospital attended to over 17 cases. The Police, it was reported, tried to snatch away National Flags from the processionists but in many cases their attempts failed. Over one hundred arrests were made in this connection most of whom were sentenced to various terms of imprisonment.—At Jamshedpur a meeting was, it was reported, forcibly dispersed by the Police. Two men were knocked down unconscious necessitating their immediate removal to the Hospital. The pandal, constructed for the purpose of holding the meeting, was levelled down to the ground.—According to a Cuttack message the happenings there were at par with those at Jamshedpur.—At Muzaffarpur crowds formed a procession which was declared unlawful and was warned to disperse. Some of the crowds attacked the Police with brickbats and other missiles. The police arrested the ring-leaders. Others then renewed the attack, injuring a number of Policemen. Seven shots were fired. Three were injured and 27 were arrested.—In Delhi a strong force of police surrounded the meeting place early in the evening. Processionists, however, reaching the clock tower, started holding a meeting there which was dispersed by the police who reached the spot immediately after. 218 arrests were made including Mr. Surendra Nath "Dictator," War Council" and Srimati Chandobai, daughter of late Rai Sahab Girdharilal, Public Prosecutor. The city observed a hartal, but almost all the Moslem shops were open.—At Nadiad a new "Congress House" was opened there by Mrs. Bhaktilaxmi, wife of Darbar Gopaldas. Subsequently, a procession was taken out, but it was dispersed by a lathi charge. About 25 persons were

injured. Several processions were then taken out in different parts of the town which were, however, not interfered with by the police.

*Convictions* :—*Sgt. Jairamdas Daulatram*, member of Congress Working Committee, who delivered last evening at a public meeting in Karachi a speech in defiance of notice under Section 144 Cr. P. C. served on him on his arrival in Karachi forbidding him to address public meeting for two months, was arrested.

- 17th.** *Mr. Hanmantrao Kauljgi*, first "Dictator" of Karnatak, and *Mr. Narayanrao Joshi*, Vice-President, Belgaum District Congress Committee, were convicted at Belgaum and sentenced to six months' rigorous imprisonment each. *Mr. Hanmant Rao Kauljgi* was again sentenced on 19th November under Section 117, Indian Penal Code, and sentenced to 12 months' rigorous imprisonment and a fine of Rs. 300, in default to further imprisonment for 3 months.—*Pandit Sunderlal*, Congress "Dictator" was convicted at Allahabad, under Section 124-A, I. P. C., in connection with a speech delivered at the Purshottamdas Park, on the 19th October and was sentenced to undergo one year's rigorous imprisonment, and to pay a fine of Rs. 250, in default to undergo 6 months' further imprisonment. Under the Instigation Ordinance, for instigating non-payment of taxes, he was sentenced to undergo 6 months' R. I., the sentences to run concurrently.—*Mr. Joseph Bennie*, President, *Mr. E. Thomas*, Vice-President and *Mr. R. Chraray*, Joint Secretary, Bombay "War Council," who were arrested yesterday at Chau-pathi Sands in connection with a banned meeting, were sentenced to an aggregate term of 9 months' rigorous imprisonment, and to pay a fine of Rs. 150, in default to 3 months' further imprisonment.—*Mr. Jatindranath Biswas*, who succeeded *Mr. Makhan Lal Sen* on the arrest of the latter as the President of the Bengal Civil Disobedience Council, *Mr. Brojohushan Roy*, its Vice-President, and *Mr. Sudhir Chatterjee*, Secretary of the North Calcutta Congress Committee were sentenced to 6 months' rigorous imprisonment each on a charge of taking part in the procession in celebration of the "Jawahar Day", in contravention of the prohibitory order. *Srimathi Lakshminani Devi*, Secretary of the South Calcutta Nari Sangha was sentenced by the Police Magistrate of Alipore to two weeks' simple imprisonment on a charge of being a member of an unlawful assembly in connection with the "Jawahar Day" celebrations.

- 19th.** *Srimathi Purvati Devi*, daughter of the late Lala Lajpat Rai, and *Srimathi Pryan Devi*, a prominent woman Congress worker of Lahore, were sentenced at Lahore to undergo six months' simple imprisonment each for refusing to furnish a security of Rs. 10,000 each under Section 108 Cr. P. C.

*Arrests in Lahore* :—A large number of Congress leaders were arrested by the Police at Lahore. These included *Lala Dunichand*, *Pandit K. Santanam* and *Pandit Thakurdutt Multani*. All three of them came out of jail recently. The arrests were made in connection with the "Jawahar Day" celebrations.

- 20th.** *Bombay's Condemnation of Police Behaviour* :—A mammoth gathering assembled on Azad Maidan to protest against the police treatment of lady volunteers on the 26th October last. *Dr. Deshmukh*, ex-Mayor, presided. Referring to the incidents of the 26th October, he said if the treatment was not inhuman, he could not understand what was human and what was not. In conclusion, *Dr. Deshmukh* suggested the celebration of the 26th October of every year, as an "Indian Womanhood Day". *Sir Purushottamdas Thakurdas* moved the main resolution running as follows :—"This public meeting of the citizens of Bombay emphatically protests against the unchivalrous, brutal, and inhuman treatment accorded to Indian women who had assembled at the Azad Maidan for the Flag Salutation Ceremony on Sunday, October 26th, and strongly condemns, in particular, the action of the police in taking a number of women outside the city limits and leaving them there uncared for and unattended. This meeting condemns this act of the police as an insult to India's womanhood and in defiance of all canons of decent civilised behaviour". Commending the resolution for acceptance, *Sir Purushottamdas Thakurdas* observed that a Government, which could not easily persuade schoolboys, had no right to govern India. He added that breaking the bangles of ladies in jail and removing their kunkum marks were disgraceful acts of the Government. *Mr. Meyer Nissim*, ex-President of the Corporation, seconding the motion, stated that the Government's action crossed the limits of decency and decorum. *Mr. B. G. Horniman* said that every honest Englishman could not but feel ashamed of the Police Commissioner's action. The resolution was carried unanimously. *Mr. Lalji Naranji* moved a resolution

urging the authorities to take action against officials concerned in the October 26th incidents, and to issue orders that there shall be no further repetition of such incidents.

- 21st.** *Mr. Jairamdas Daulatram*, President of the Sind Satyagraha Council, was sentenced to six months' rigorous imprisonment in Karachi, for disobeying the Collector of Karachi's order prohibiting speech-making for two months.

- 22nd.** *Police open fire in Barisal village* :—A constable and three villagers were injured in the course of a scuffle between the latter and the police. The incident ended in Police opening fire in the village in the Pirojpur sub-division. An Assistant Sub-Inspector of Police, attached to the Bamna Thana, went with three constables to the place of occurrence to arrest a person accused in a case. When the police arrived the suspect, his father and his brother resisted them and a constable was severely injured on the head by the accused with a *dao*. The Assistant Sub-Inspector fired two shots. Three persons were wounded.

- 24th.** *Arrests and Convictions* :—Mr. S. A. Brelvi, editor, and Mr. Khapadia, printer, respectively of "The Bombay Chronicle" and Mr. S. Sadanand, editor of the "Free Press Journal", were arrested under Section 17 (1) Criminal Law Amendment Act, on a charge of publishing the "Jawahar Day" programme in Bombay, and thereby assisting the activities of unlawful association.—Mrs. Sarala Devi Ambalal, 'Dictator' of the Gujrat Provincial Congress Committee, Miss Mrudula Ambalal, Miss Khurshed Ben Naoroji and others who were arrested and tried under Section 17, Criminal Law Amendment Act, in connection with the "Jawahar Day" celebration, were sentenced. Mrs. Sarala Devi Ambalal was fined Rs. 1,000, Miss Khurshed Ben was fined Rs. 50, in default to undergo 15 days' simple imprisonment. The rest were similarly fined and awarded various terms of rigorous imprisonment in default.—Sj. Bepin Ganguly, President of 24-Parganas District Congress Committee, with 18 other Congress men was sentenced to 18 months' rigorous imprisonment and 6 months' rigorous imprisonment on charges under Section 117 I.P.C. (abetting volunteers to break Section 9 of the Salt Act and Section 4 of Ordinance V of 1930) and Section 157 I.P.C., both sentences to run concurrently.

- 25th.** *Reports of arrests, convictions and searches* were pouring in from different parts of Bengal. Sj. Kunjalal Ghosh, a pleader of Khulna, was arrested on his way to the Court for, it was alleged, allowing the Congress Office to be located in a verandah of his house.—At Faridpur the Police raided the Congress Office and the premises of the Physical Culture Association. The Police took away everything found in the Congress Office including an almirah, utensils, and locked up the room.—At Noakhali Sj. Mali was sent to jail for asking people by beat of drum not to pay the Choukidari tax.—Sj. Mahadev Desai, General Secretary of the All-India National Congress was arrested for issuing a leaflet inviting money and houses for the Congress.

- 26th.** *No-tax at Bankura* :—Reports from Bankura stated that villagers refused to pay Union Board taxes. It was reported that movable properties of several gentlemen of Hodol-Narayanpur were attached while armed constables were sent to Sonamukhi, another village in the district of Bankura, to realise Union Board taxes. Several volunteers were arrested by the Inspector of Police of Vishnupur for asking people not to pay Union Board rates.

*Bombay celebrated the Bardoli Peasants' Day* and organised a procession which started from the new Congress House at Mandvi. The Police Commissioner had banned the procession and the police force was mobilised at Mandvi, to prevent people from defying the ban. The "War Council" headed by Mrs. Urmila Mehta, the president, led the procession and it was put under arrest when it had hardly proceeded about a hundred yards. Despite the police arrangements, and undaunted by the arrest of the "War Council", thousands of people including a large number of women managed to reach Azad Maidan in small processions, carrying national flags and shouting national slogans. Some of the processions were stopped on their way by the police, but most of them reached the Maidan uninterfered. At the Maidan a mammoth meeting was held and resolutions congratulating the Bardoli peasants and the arrested "War Council" members were passed. In addition to the members of the "War Council" some more persons were arrested by the police while leading small processions. There were a number of

lathi charges which resulted in injuring about 25 persons. A new "War Council" was appointed in place of the arrested one with Mrs. Gangaben Patel as its president.

- 27th. Convictions :—**Arrested in connection with the banned "Bardoli Day" procession, Mrs. Urmila Mehta, President and Mrs. Virbala Dikshit, Vice-President were each sentenced to undergo an aggregate term of 8 months' simple imprisonment, while Mr. Ratilal Shah, Editor, and Mr. Bootwalla, one of the Secretaries, were sentenced to undergo 8 months' rigorous imprisonment each. Mr. Himatlal, another Secretary, was sentenced to 4 months' rigorous imprisonment.

**Calcutta Bomb Case Judgment :—**The Special Tribunal at Alipore delivered judgment in the Calcutta Bomb Case, convicting Dr. Narain Chandra Roy and seven others for offences under the Explosive Substances Act and the Arms Act and Conspiracy. Dr. Narain Chandra Roy and Dr. Bhupal Bose were sentenced to transportation for 20 years and to suffer rigorous imprisonment for 14 and 3 years each, the sentences running concurrently; Ambika Roy, Adaitya Datta and Jatin Bhowmik to transportation for 12 years and to 8 and 3 years' R. I. each; Surendranath Datta and Rasik Das to transportation for 15 years and to imprisonment for 10 and 2 years each, the sentences running concurrently; Robin Adhikari was sentenced to transportation for 10 years and to 7 and 1 year's imprisonment, the sentences running concurrently on the three above mentioned separate counts.

**Congress Committees Declared Illegal in Behar :—**The Governor-in-Council, in exercise of powers conferred by section 16 of the Indian Criminal Law Amendment Act 1908, declared all associations whether known as Congress Committees or by other designations or continuing without the distinctive title formed in pursuance of the Civil Disobedience movement in the districts of Muzaffarpur, Manbhum, Monghyr, Saran and in Samastipur Sub-Division of the Darbhanga district, as unlawful associations within the meaning of section 15 of the said Act.

## December 1930

**Chief Events :—**Inspector General of Prisons shot dead in Calcutta—Governor of Punjab shot at in Lahore—Picketing of foreign cloth and liquor shops in the country and declaration of Congress Committees as unlawful associations continued—Two more Ordinances promulgated—Severe lathi charge in Bombay.

- 1st. Anarchist outrage at Chandpur :—**Mr. Tarini Mukherjee, an Inspector of Police, was fired at by two youngmen who came out of a second class compartment when the Calcutta bound mail train arrived at the Chandpur railway station from Chittagong. The Inspector was seriously wounded. The Inspector General of Police, Bengal, who was on a tour of inspection in the district and his orderly fired at the assailants, but the bullets missed them and they succeeded in escaping.

**Mr. Benn on Boycott of British Goods in India :—**In the House of Commons, replying to Commander Kenworthy, Mr. Wedgwood Benn said that the boycott of British goods in India was weakening throughout India generally but was still effective in Bombay. He was circulating figures showing the falling off in British exports to India which showed in the quarter ending in September a decline of 43.6 per cent, compared with 1929. The decline in British exports to all places abroad was 25.8 per cent.

**Convictions :—**Messrs. S. A. Brelvi and Sorab Kapadia, editor and printer respectively of the "Bombay Chronicle," was sentenced, the first to five months' simple imprisonment and a fine of Rs. 250, in default six weeks' imprisonment,

and the second to five months' simple and a fine of Rs. 150, in default six weeks' imprisonment.

- 2nd. Congress Associations Declared Unlawful:**—All associations and committees whether known as Congress Committees or by other designations or continuing without any distinctive title and formed in pursuance of the Civil Disobedience Movement in the district of Bhagalpur and Sadar and Madhubani subdivisions of the Darbhanga district were declared unlawful under the Criminal Law Amendment Act.—In Allahabad district, all Town and District Congress Committees, Boycott Committees, Satyagraha Committees, District War Council, Congress Mohalla Ashrams, Youth League and Youth Guard were declared by the Governor-in-Council under sec. 16 of the Indian Criminal Law Amendment Act, 1908, as unlawful associations.

**Police Firing at Darauli:**—One man died in the Siwan Hospital from the effects of gunshot wounds received during the Police firing upon a crowd of villagers in Darauli in Saran District. A party of officers and men went to Darauli to collect the chowkidari tax when they were attacked by a mob, armed with lathis, spears and other weapons. The villagers were dispersed, but reassembled and attacked the police in larger numbers from several directions. As they were in danger of being surrounded, they fired nine shots when the mob finally left the place. Several policemen and their horses were injured as were some of the rioters.

- 3rd. Lathi Charge at Benares:**—A Mahomedan went to a ganja shop at Kabichaura and began to beat volunteers when asked not to buy ganja. The policemen from the Kotwali soon reached the spot and when they were taking the man in an *ekka*, a mob followed and assaulted them. Subsequently, a party of hundred policemen, armed with lathis, arrived at the ganja shop and, it was alleged, charged the crowd with lathis. Over 100 persons were reported to have been injured.

- 5th. "Gandhi Day" in Bombay: Lathi Charge by Police:**—A meeting under the auspices of the War Council in connection with the celebration of the Gandhi Day which was held in the evening despite prohibitory order was attended by thousands of people. The police charged the gathering and arrested the War Council president, Mrs. Gangaben Patel, Mrs. Shantaben Patel, Vice-president and Miss Trivedi, Bulletin Editor and confiscated chairs, tables etc. The crowds which were dispersed again gathered at Dhobitalao and held a meeting there. The police charged the crowds with lathis who continued demonstrating before the Esplanade Police Station where the arrested ladies were taken. Over fifty people were injured in these clashes while the police sustained six casualties in consequence of stone-throwing.

**Lathi Charge at Karachi:**—Karachi witnessed two lathi charges within the last three days. The first occurred on the 3rd noon and the second on this day. Both were made upon the processionists who were selling contraband salt in the Court. On the 3rd, a procession of volunteers entered the Small Causes Court compound where the police charged the volunteers with lathis. Another lathi-charge was made to-day upon a procession. A volunteer was seen selling contraband salt in the Karachi Judicial Court. Several injuries were reported. Nine volunteers were convicted for selling illicit salt in the court compound. Eight were sentenced to four months' rigorous imprisonment. The ninth man who sold contraband salt inside the Court room was charged with trespass and sentenced to four months' R. I.

**Omnibus Searches all over the city of Calcutta** were made by the special Branch of the Calcutta Police who simultaneously carried searches at about 22 private houses and boarding and mess establishments all over the city and arrested a large number of youngmen. Most of the arrested persons were removed to Elysium Row. The searches were in connection with the murder of the Inspector at Chandpur. In addition to the above places wherefrom these youngmen were taken several other houses in Sankaritolla Street Bagbazar Street etc., were also searched.

**Bengal Arrests and Convictions:**—Prof Bireswar Bose was convicted at Krishnagore to undergo four months' simple imprisonment for violating an order under Section 144, which was served upon him while the professor was addressing a public meeting. Besides, several volunteers and Congressmen

were arrested and convicted in Bengal in connection with picketing and allied activities.

- 6th.** *Mr. Mahadev Desai*, who was tried under Section 17 (1) and (2) Criminal Law Amendment Act for publishing a bulletin exhorting people to help the Congress with money and houses and assisting the operations of an unlawful association, was sentenced to 6 months' R. I. and a fine of Rs 250, in default 6 weeks' further imprisonment.

*Mr. Vallabhbhai Patel* was arrested at Ahmedabad under Section 17 (1) and (2) Criminal Law Amendment Act for a speech delivered by him in Bombay. The city of Bombay observed a hartal on the next day as a mark of protest against his arrest. Mr. Patel was taken to Bombay and remanded to custody in Jail.

*Maniklal Sen*, who was seventeen years of age and was undergoing imprisonment in connection with the civil disobedience movement, died in Murshidabad jail after hunger strike for sixty days, as a protest against the alleged inferior quality of food supplied to political prisoners. His ashes were brought to Benares and taken in procession to the Ganges in the morning.

- 8th.** *Inspector-General of prisons shot dead in Calcutta* :—Lt.-Col. N. F. Simpson, Inspector-General of Prisons, Bengal was shot dead in his office in Writers' Building in Calcutta. It was stated that three Bengalis demanded to see the Inspector-General at his office but were told he was engaged. They were requested to fill up a docket, which they refused. They pushed the chaprasi aside, and forced their way through the swing doors. Lieutenant Colonel Simpson was examining the files, and he drew back when the men burst in. All fired at him and then rushed out, covering the retreat downstairs and along the verandah by continual shots. Mr. J. W. Nelson, Judicial Secretary, was seriously wounded in attempting to stop the escaping assailants. Thereafter the three men attempted to commit suicide in the Secretariat. One was successful but the other two were sent in the Medical College Hospital in a dangerous condition. It subsequently transpired that one of the men was Benoy Bose, the alleged assailant of Mr. Lowman at Dacca. He expired in the Hospital on the morning of the 13th December. The other man Dinesh Gupta subsequently improved.

*High Court Rulings on Police ban and Ordinances* :—The Chief Justice and Mr. Justice Mallik of Calcutta High Court held that the order of the Commissioner of Police, Calcutta, passed on April 21 banning all processions and public assemblies in the city and suburbs indefinitely, was illegal and altogether bad. Their Lordships were of opinion that the Commissioner could only ban a particular procession upon a particular occasion which he might think it necessary to prohibit for the preservation of the public peace or public safety.

- 10th.** *Lathi charge at Amritsar* :—At Amritsar, the police had to resort to a lathi charge in dispersing a huge Congress procession on its refusal to disperse. The police arrested some Congress workers including Mr. Amirchand and Swami Anand. Some women participating in the procession were also arrested. As a result of the lathi charge a large number of persons received injuries. 32 women, who were arrested, were released the next day. At 2 p. m. there was a huge public meeting in the Jallianwala Bagh which organised into a procession headed by three persons, each carrying a National Flag. A number of ladies also participated in the procession. At about 5-30 p. m. the procession reached Chah Zargar, where it was dispersed late in the evening. Later, the procession was allowed to pass. The procession passed peacefully, terminating at Jallianwala Bagh where a public meeting was held. A complete hartal was observed throughout the day.

*Civil Disobedience Committees unlawful in Behar* :—Associations or committees formed in pursuance of the Civil Disobedience movement in the District of Champaran and the sub-division of Deoghar in Santhal Parganas District were declared unlawful by the Government on the ground that they constituted a danger to public peace.

- 11th.** *Mr. Churchill's Mischievous Speech* :—Reminding the British nation of the grave danger in India, Mr. Churchill in a speech before a gathering of businessmen in London said :—"If instead of raising alluring hopes of speedy Dominion Status, we had concentrated on practical steps to advance material condition of



Indian masses, if the Congress at Lahore which burned the Union Jack had been broken up, its leaders departed, if Gandhi had been arrested and tried immediately he broke law, there would have been no necessity for the immense series of penal measures which had been taken." Further he said that the delegates from India had no power to pledge the Indian Congress party to sincere acceptance of any agreement. "Any concessions to which the Socialist Government committed itself would only be used as a starting point for new demands by the revolutionaries. The truth was that Gandhism and all that it stood for must sooner or later be grappled with and finally crushed. It was useless to satisfy the tiger by feeding him on cat's meal."

**12th. Death of a Bombay Picket :—Lathi Charge by Police :—**Babu Gannoo, a 25 year old picket was run over by a motor lorry carrying foreign cloth bales<sup>s</sup> succumbed to his injuries in the G. T. Hospital after four hours of admission. The news of the tragic incident evoked considerable sympathy and there was as spontaneous hartal all over the city. The place where the volunteer was run over soon became the centre of "pilgrimage" where thousands of citizens heaped flower wreaths and incense in tribute. At 10-30 in the night the police appeared on the scene and ordered a couple lathi charges to disperse the crowd. As a result of lathi charges about 10 persons were admitted into hospital including a lady.

**13th. Clemency for Sholapur accused :—**The Governor of Bombay refused the request of Mr. Husseinbhoj Laljee, President of the Indian Merchants' Chamber and the Bombay Corporation, that His Excellency should receive a deputation of the members of the Chamber to urge the commutation of the death sentences passed on the four accused in the Sholapur murder case. The President of the Chamber also sent a telegram to the Viceroy, praying that the Sholapur convicts' appeal for mercy should be accepted by virtue of the prerogative of mercy, vested in the Viceroy, and requesting the Viceroy to receive a deputation from the Chamber.

**Renewed picketing in Calcutta :—**A fresh momentum was given to the picketing at Burrabazar by the ladies of the Mohila Rashtriya Sangha led by Sm. Arubala Sen. Picketing began at the midday and continued till 3 p. m. when seven ladies including Sm. Arubala Sen were arrested on a charge of obstruction. Great enthusiasm prevailed in the locality owing to this renewed picketing with great vigour and the arrest of the ladies after an interregnum of several weeks gave a new turn to Burrabazar picketing.

**14th. Lathi Charge at Ahmedabad :—**A large police force was stationed near Manilal Mansion from where a procession was to be started. Members of the Vanarsena formed the procession when the police arrested the ring-leaders and dispersed others. A few minutes later another procession took its place and was similarly dispersed. A third procession mainly composed of ladies started from the place. The police arrested about 28 ladies including Miss. Mrudula, daughter of Seth Ambalal and Mrs. Kanuga, and dispersed others. At this stage the police, it was alleged, rushed towards the crowd which was gradually swelling in numbers. The police again dispersed the crowd and asked the owners of the houses to clear the spectators. After two hours the police were withdrawn. All the arrested ladies were later released. A few persons numbering about ten were more or less injured and were treated at Congress hospital.

**15th. Picketing and Arrests :—**Picketing of foreign cloth and liquor shops in the country continued. An old man of seventy years was taken into custody while picketing a ganja shop in the Bagerhat Bazar.—Ladies compelled the Delhi merchants not to sell foreign cloth and threatened the local lawyers with picketing if they used foreign goods.—The traders of Naraingunj signed the Congress pledge not to sell even the stock of foreign cloth they had.—Success of boycott was also reported from Nagpur, Wardha, Benares and other centres.—A prohibitory order under section 144 was promulgated in Faridpur banning all processions in the town.—Prof. Rahim was ordered not to deliver any speech in Tipperah for two months.

**Viceroy's Attack on Congress Movement :—**Addressing the Associated Chambers of Commerce His Excellency the Viceroy made a bitter attack on the Civil Disobedience movement. "The hard times we have been having in India" he

said, "are, in their origin, due to world-wide causes. But in saying that, I by no means absolve the present Civil Disobedience Movement from its own heavy share of responsibility. It has immeasurably aggravated the situation both by the boycott directed against the trade in foreign, and particularly, British goods and indirectly by creating an atmosphere of uncertainty and unrest."

**16th. Lathi charge at Belgaum:**—When a number of volunteers arrested for defiance of an order under Section 154 Cr. P. C. was being taken to the lock-up, a clash occurred between the crowd and the police. The latter dispersed the crowd with a lathi charge as a result of which about a dozen persons were reported to have been injured including the Secretary of the District Congress.

**17th. Congress Houses Locked and Demolished:**—The Bajitpur Congress House in Mymensingh was demolished under orders of the District Magistrate.—The police raided the District Congress office at Cawnpore, arrested sixteen persons and locked the house.—At Chapra the police searched the Congress office, took away whatever they could lay their hand on and arrested nine persons. The post over which the National Flag was hoisted was cut down. It was reported that the military force charged the volunteers, who took shelter under a tree, with lathis as the result of which eight were wounded.

**18th. Pt. Jawaharlal's fast in Protest of flogging of Prisoners:**—Pandit Jawaharlal Nehru, Dr. Syed Mahmud, Sardar Narmada Prasad Singh, Mr. R. S. Pandit and Pandit Govind Malaviya, in the Naini Central Prison, started a three days' fast in sympathy with those political prisoners who were flogged in some of the jails of these provinces. Early in December, Pandit Jawaharlal Nehru wrote a letter to the Superintendent that the news of the flogging of political prisoners in jails had considerably distressed them, and made them reconsider their decision to observe generally the jail regulations. This letter was, at their request, forwarded by the Superintendent to high officials. No reply or acknowledgment having been received the fast was observed.

**Ladies arrested in Delhi:**—9 lady volunteers were arrested while picketing a liquor shop in Delhi as a result of which Congress took out a procession in the evening to protest against the action of the wine dealer. The next day picketing was resumed as a result of which 19 male volunteers were arrested. Towards the evening the Congress took out a mock funeral procession through the streets of Delhi. The police stopped their progress by blocking the roadway. The processionists who by then consisted of 32 ladies, squatted on the ground for nearly two hours when they were arrested by the police.

**Appeals for Mercy for Sholapur Prisoners:**—Widespread sympathy was felt for the four Sholapur prisoners who were condemned to death. The general belief was that there had been an unfortunately serious miscarriage of justice. Many representations were made to the Viceroy and the Bombay Governor to exercise the prerogative of mercy and save these unfortunate citizens from the hangman's noose. Such appeals for mercy were continued to be made by representative and influential institutions.

**19th. Congress Committees Declared Unlawful:**—Declaration of Congress Committees as unlawful associations continued. The Bombay Government notified four Congress Committees illegal on the ground of their interference with the maintenance of law and order. A prohibitory order under sec. 144 was promulgated at Dhulia prohibiting picketing of liquor shops.

**Sr. Ramdas Gandhi,** son of Mahatma Gandhi was arrested for the second time under sec. 117 I. P. C. in connection with a speech he delivered at Matwad.

**23rd. Two More Ordinances promulgated:**—H. E. the Viceroy promulgated two more Ordinances. The first, known as the Unlawful Instigation (Second) Ordinance of 1930, provided against the instigation to illegal refusal of the payment of certain liabilities. The other one, called the Indian Press and Unauthorised News-sheets and News-papers Ordinance 1930, provided for the better control of the Press and unauthorised news-sheets and newspapers.

**Viceroy on futility of "Strong Government":**—At the Calcutta European Association's dinner H. E. the Viceroy in the course of his speech said: "From one quarter, the general criticism that we hear is of course that there would have been no trouble, or that any trouble would have immediately disappeared, if only the country had had what is called "Strong Government". But I definite-

ly do not share the view that any Government action, however drastic, will or can be as powerful a solvent of these troubles, as will be the gradual force of public opinion, which must sooner or later awake to the fact of how mistaken is the course that the country is invited to pursue. The conditions, for example, of prosperous and friendly commercial intercourse will always depend far more upon public opinion than upon Government action. And however emphatically we may condemn the civil disobedience movement—and nobody can feel more strongly than I do the harm that it has done and is doing to the cause of India—whatever powers we may find it necessary to take to combat it, so long as it persists, we should, I am satisfied, make a profound mistake if we underestimated the genuine and powerful feeling of Nationalism that is to-day animating much of Indian thought.

**Punjab Governor shot at in Lahore:**—On the occasion of the Punjab University Convocation, three shots were fired inside the University Hall at H. E. the Governor. His Excellency received two minor wounds, one at his back above the hip and another on his left arm. Two police officials were also hurt as also one lady doctor. Two students were arrested by the police one of whom was alleged to have been actually firing the shot.

**24th. Convictions:**—Mr. K. C. Kamavisdar, Secretary, C. P. Marathi "War" Council and Mr. V. Deshmukh, member, "War" Council, who were arrested for speeches delivered by them during the celebration of the Bardoli Peasants' Week at Nagpur, were immediately tried in the Central Jail and on their refusal to furnish security were sentenced to one year's simple imprisonment.

**25th. Lathi Charge at Coimbatore:**—Police made a lathi charge at a public meeting, held under the Congress auspices, in the Town Hall of Coimbatore, resulting in severe injuries to about twenty Congress volunteers and minor injuries to some members of public. All the volunteers received injuries mostly on the back and knees. There was no general order under Section 144 nor was there any police ban on public citizens. A public meeting of the citizens of Coimbatore was held on 26th December, at the Town Hall maidan, where the lathi charge was made by the police. The meeting was announced by printed leaflets, issued over the signature of Mr. C. S. Ratnasabbapati Mudaliar, Municipal Chairman. There was a mammoth gathering. Mr. C. V. Venkataramana Iyengar presided. A resolution, condemning the high-handed action of the police and requesting the representatives in the Legislative Council from Coimbatore to bring an adjournment motion at the next meeting of the Council to censure police action, was passed.

*The Bombay Police* carried out simultaneous searches in the morning in a number of places all over the city, including volunteers' camps and Congress workers' residences, and arrested several prominent Congressmen, including Messrs Mulraj Kursondass, and several others.

**26th. A bomb explosion occurred at the Delhi Central Railway Station** at noon seriously injuring three. It appeared that an unclaimed luggage was lying in a second class waiting room consisting of a sweater and a bedding. The waiting room bearer was removing it and as he was about to get into the lift a cigarette case containing a bomb fell out of the sweater and exploded blowing off both the arms of the lift boy and seriously injuring two bearers.

**Unlawful Associations in U. P., Behar and Assam:**—A Gazette Extraordinary announced that the Unlawful Instigation (Second) Ordinance had been extended to all the thirty districts in the United Provinces where the First Ordinance was in force. These included Lucknow, Cawnpore, Allahabad, Agra and Meerut districts. The Hindustan Seva Dal of Cawnpore was declared an unlawful association under section 16 of the Criminal Law Amendment Act.—Notifications published in the Behar and Orissa Gazette declared as unlawful the Congress Committees and Associations known by other designations or continuing without distinctive title, and formed in pursuance of the Civil Disobedience movement in the Rajmahal subdivision, in the district of the Santhal Parganas and in the district of Balasore as, in the opinion of the Governor-in-Council, they have for their object interference or do interfere with the administration of Law and Order and constitute a danger to public peace.

The Assam Gazette Extraordinary announced:—Whereas the Governor-in-Council is of opinion that the Association at present known by the name of the Assam

Provincial Congress Committee or the Assam Provincial Congress Working Committee and any other Association having the like objects, by whatever name it is, or may be known, existing in any part of Assam, interfere with the administration of the law and the maintenance of law and order, the Governor-in-Council hereby declares under Section 16 of the Indian Criminal Law Amendment Act 1908 that the said Associations are unlawful Associations within the meaning of Part II of the said Indian Criminal Law Amendment Act.

**27th. Arrests at Lucknow :—**The police arrested altogether 41 persons in Lucknow. Babu Mohanlal Saxena, president, Town Congress Committee, was arrested along with Mr. Harprasad Saxena, vice-president and six others while performing the opening ceremony of the new Congress office. A posse of police raided in the evening the office premises of Babu Mohanlal Saxena and arrested there Babu Kailaspati Varma, president, Boycott Committee, and Babu Parameswaridayal, secretary, Town Congress Committee. The remaining persons were all arrested near a shop where picketing was in progress for the last few days.

**28th. Mr. S. Satyamurti,** President of the Tamil Nadu Council of Action, was arrested in Madras for trying to proceed with the Flag Salutation Ceremony despite the Police ban. He was produced before the Magistrate, the charge being under Section 157 I. P. C., (continuing to be a member of an assembly likely to cause disturbance of public peace, and which has been commanded to disperse.) The Magistrate directed Mr. Satyamurti to appear before him on the 8th January, the date fixed for the trial of the case.

**Lathi charge in Bombay :—**Severe lathi charges were once again witnessed in following the Flag Salutation Ceremony held under the auspices of the "War Council" on the Azad Maidan. The whole of the nineteenth "War Council" consisting of Mrs. Sochalata Hazrat, President and four other members were put under arrest and marched off to the Esplanade Police lock-up. The mischievous element in the crowd answered the police with a shower of stones and brick-bats and this was the signal for general lathi charges, perhaps the severest of their type witnessed in Bombay. Sergeants and policemen chased the crowds beating all and sundry. The lathi charges which commenced shortly after 9 a. m. continued up to a late hour in the noon. At one time the police who were unable to disperse the crowd by lathis resorted to stone-throwing at the crowd. The casualties of the day were:—200 persons injured in the lathi charges, over dozen persons seriously, and 11 policemen slightly injured by stone-throwing. Nineteen persons were arrested, the first seven for taking part in the War Council programme and the rest for stone-throwing.

# INDIA IN HOME POLITY.

July—December 1930.

# India in Home Polity

## Introduction

### I. LULLS AND STORMS.

With unabated vigour the stream of events moved during the latter half of the year 1930. The stream of truly dynamic national life, like the course of true and passionate love, never runs smooth. It has to fight its way by soaking the sands of apathy and sapping the rocks of antipathy. The conditions of its own strength and the conditions of its field of movement determine its depth and expanse, it bends and gradients. As we saw before, we should naturally expect an ebb and flow in the career of any movement; and our expectation was not belied in the case of the present movement too. Sometimes it ebbed low enough to justify the elation of the Government that it was definitely on the wane, or the fears of some of its promoters that they were playing a losing game. But as the sequel proved again and again, that justification was but the semblance of a justification. The temporary lulls in the movement proved, in fact, to be lulls before fiercer storms. Its latent strength amazed the unbelieving Government, and awakened and rallied the listless amongst us. The depths had caught the immortal spark where the surface was apparently cooling down. And once the depths were in actual ferment, the surface rose to white heat again. To adapt a metaphor used on a later occasion by Lord Sankey, the metal of India's own Being was now on the anvil of national suffering, and it was being hammered into shape by the gods. But this fateful shaping and forging was going on in a workshop into which the vanity of human intelligence is denied admittance. One saw only the sparks coming out. Now they came, and now they died out. It was an ephemeral show. Sparks came, glowed and cheered; they went out, fell and disheartened. All the while, the immortal creative fire was burning in the smithy. Was that workshop the mysterious profundity of Mass Sub-consciousness of which we spoke before?

### II. DISPOSITION OF THE FORCES OF THE MOVEMENT.

Despite all assertions to the contrary--and one need hardly take seriously the assertions of the Daily Mail Group of British Diehards that the present agitation is confined to a microscopic minority of the Indian people; that, as Mr. Churchill, for example, has been wont to represent or rather misrepresent, it has been a Brahminical uprising against British supremacy, which has proved to be the protector of the depressed and oppressed masses--it has been a generally admitted position that the present movement is both an widely spread and a deep-acting movement. In some areas, such for example the Bombay City and Guzerat, the forces of the movement might have had a denser formation than in some of the other fields of operation. In Bengal, the for-

mation might have been less dense, but was certainly spread over a more extended area, as proved by the numerical supremacy of Bengal as regards her political jail-goers and certain items of her boycott figures. Four to five hundred young men of Bengal spirited away from their homes on police informers' reports and executive ukase based on them, secured within barbed wire entanglements in the far away nooks of the province—where mere suspicion has brought them, and where they run the risk of being hunted down with swords or firearms on the mere suspicion of an attempt made by them to escape from custody—this has been one of the peculiar problems of the Bengal political situation. In this way, it may be an interesting study how each province, contributing its best to the strength and success of the movement, has also made that best its characteristic contribution. But we do not propose to enlarge upon this now.

### III. THE PILGRIM'S PROGRESS.

Whatever might have been the place of one province or part of a province in the order and economy of the national effort, it is a fact that the war experience of no one of them failed to exhibit alternations of depressions and upheavals, of fears and hopes. It is as if a pilgrim were plodding along perilous and difficult tracks laid over steep hill gradients and deep ravines, now having a cheering glimpse of the Land of Promise, and now being all but entombed in the mass of granite which did not allow his vision or his hope to reach beyond the step immediately before him. When he had climbed a crag of vantage, the prospect opened before him, and he felt sure that he was nearing his journey's happy and glorious end. When he was caught in the tortuous bends of one of the deep ravines, he was wont to feel that he was almost lost. He would often stop and strain his ears to catch the echoes of the voice of his unseen guide—the mountain rill leaping from boulder to boulder in sheer joy, suggesting in its playful course a valley downhill which could be taken as a new and surer position by the pilgrim to begin an effort of further advance. At any centre of operation, whether in Bengal or in Bombay or elsewhere, the operators, the officers as well as the rank and file, have had an experience which is comparable to the experience of the pilgrim whose progress to his journey's end we have just imagined. Now the tide comes, the general nationalist feeling at the centre is augmented, the enthusiasm of the workers rises, volunteers flow in, Civil Disobedience activities and demonstrations have a marked impetus given to them, the Congress fighters and sympathisers are elated with hope and the authorities are troubled with the gravest misgivings.

The report from every centre has shewn these occasional tides. Again and again the workers have found themselves on high altitudes commanding a cheering prospect of the approaching goal of Victory. They have found themselves borne aloft on the towering crest of national enthusiasm. This has meant the Congress camps overfilled with volunteers, miles long processions and demonstrations braving lathi charges, mammoth meetings in which lacs of men and women participated, brisk picketting and effective blockade of British goods. The Newspaper columns are bursting with the weight of news—news of the fighters' deeds of bravery and sacrifice. Thousands more come to tax the

resources of the Jail Administration ; thousands more are carried in stretchers into the Congress hospitals. More British cloth dealers are induced to seal and put away their bales of cloth ; and more Excise shops are closed for want of buyers and bidders. The Government official reports either say frankly that the boycott has stiffened and that there has been recrudescence of civil law breaking, or merely make an attempt to play to the Indian or foreign gallery by saying that there has been no change in the general situation, or that they have nothing particular to report. Sometimes they have auto-suggested themselves or deluded others with the assurance that the movement is now definitely on the wane. In some cases, the authorities apparently failed to note what are but temporary lulls before fiercer gales. In other cases, they were doing a kind of propaganda.

#### IV. THE ART OF PROPAGANDA

Propaganda is needed partly to maintain the morale of their own forces arrayed against a very wide-spread national commotion. Their supporters require the support of a belief that their case is winning. After all, nothing succeeds like success. And a make-believe success can sometimes be so manipulated as to tell almost as well as a belief in actual success. It is this pliability of the average mind to the hypnosis of any catchy and persistent suggestion, right or wrong, which is at the basis of the art of advertisement and propagandism. Like all human institutions, propagandism draws its inspiration from an evil genius also, and never before perhaps as now, has it proved a world power and a world evil. Never before perhaps as now, has it become such a world delusion and snare. A variety of motives of an interested kind, which know how to put on the sacred cloak of the evangelist, may play behind the modern pursuit of the art. We all know how they played during the course of the last Great War. *Suggestio falsi* and *suppressio veri* are the familiar weapons of this modern ally of diplomacy. It has been thought that nations can in these days win their case, in war or in peace, more by a deft manipulation of this modern machinery than by employing any other agency. It is, for instance, commonly believed that in the last Great War, American neutrality was broken, and American support, as the decisive factor in the struggle, was won over on the side of the allies, much more through the instrumentality of persuasive propaganda and diplomacy than by any prospect of triumph of the Allied arms, or even by any mere considerations of abstract justice. President Wilson's Fourteen Points might have been genuine in conception, but they proved a delusion and a snare in actual execution. The result was that German resistance, both moral and physical, was smashed—which was really desired by the Allied Imperialist statesmen. Militarism rose from the ashes of the war stouter than ever. The after-war imperialist policies and designs of the victorious nations, the practical failure of all attempts at adjustment and reduction of national armaments through Leagues and Pacts, the continued exploitation of the teeming millions in all countries, whether politically free or dependent, the still crushing burden of military and administrative budgets on the poor and the meek, the eternal injustice and tyranny of the distinction between the swelling multimillions and the vanishing half-a-penny—all these have demonstrated,



if indeed demonstration was necessary, that all the high-pitch and pompous war perorations of Lyod Georges and Clemenceau had been little better than so much special pleading and propaganda, done for ends that were neither internationally broad nor altruistic. It is the misfortune of all modern states—which with the sole exception of Soviet Russia perhaps are in the nature of plutocratic oligarchy—that from the very nature of the conditions or terms of their existence, they are driven to make this dubious art of special pleading and propaganda an art of their habitual functioning. The Publicity Officer of every government has to perform quite a variety of functions. He has to be the official Censor, the official advertiser, the official advocate and the official purveyor of news and information. The India Government has to govern a subject people. Even in normal times, it has got to persuade the governed that its rule is, on the whole, beneficial to them. It has further to persuade world opinion that, in this case at any rate, good government can not only be a substitute for self-government, but, in practice, may prove better than it. It has to prove exceptions to the law of democracy as stated by Abraham Lincoln—"No nation is good enough to rule another." The part of the benign despot is never easy of performance, and it is becoming more difficult everyday with the increasing alertness of the world democracy as to the rights of the masses as distinguished from those of the classes, and, in the case of India, with the rapidly dawning national consciousness of the Indian peoples themselves. To play its appointed part, therefore, the Indian Government—assuming that it has faith in its mission—has to move not with the times, but against and inspite of them.

#### V. PRESS AND PLATFORM : THEIR USE AND ABUSE

The Press and the Platform are to-day the most effective channels through which the spirit of the times, the smothered soul of democracy, the accumulated shattered hopes and unredressed wrongs of ages, have been seeking to give a vent to themselves. In so-called independent countries, these forces of the peoples' self-assertion have to be met as well as can be by counter propaganda by the powers that be or their supporters. These latter have to speak in the name of the people, have to profess that they are the natural leaders of the people and the safest custodians of their interests. By some spell or other, they have to hypnotise the people into their own way of thinking and looking at things. In their ability to do so, lies the secret of their security and power. During the Great War, the belligerent Powers were thus able by propaganda and other means to work up the feelings of the people into what has been called war frenzy or war madness. In their millions were they, like dumb driven cattle, goaded into the trenches, and, willingly enough, they allowed their country to be bled white in men and money. A few crafty, and in some cases perhaps, sinister-minded statesmen were playing on the international chess board, and held and pulled the strings. All the dubious ways of the act of propaganda were laid under contribution. The dressing and catering of war news, the supply of war thoughts and sentiments like tinned articles of food, was not the only item of mass exploitation. The ways were as insidious as they were powerful. A real story of the War or of any other modern movement still remains to be told.

## VI. IN THE CASE OF INDIA

Coming to the case of India which is a subject country governed by a handful of aliens who profess to govern in the interest of the governed, we find that the methods of persuasion—and persuasion there must be even if it be a fact that India was conquered by the sword and is held by the sword,—have to be supplemented, if not replaced, by methods of coercion. Besides the right to censor news, proscribe and suppress literature, the Government must have in their penal armoury weapons ready forged for effective action against any writing or speech which may offend their susceptibilities as the custodians of the interests of the State. From their point of view, it is also thought essential that the uses to which those weapons can be put should be given as large an elasticity as possible. The publicist in India has thus to function with very tight halters round his neck. The noose, however, is always elastic enough to secure the stiffest as well as the most slippery necks. The very tallest pines as well as the humblest shrubs have been laid low by the penal saw or scythe. The prince of Penal Sections has cast its net wide, and its meshes have proved to be strong enough and fine enough to catch the mightiest whales as well as the smallest fry. Bal Gangadhar Tilak and Mahatma Gandhi have been amongst those that have been caught. The Indian agitator, whether of the Press or of Platform, has ever worked with the proverbial sword of Democles hanging over his head. In free countries, the fundamental rights of citizenship would brook no challenge from the so-called interest of the governing few, however cleverly these latter may essay to pass themselves off as the interest of the people at large. It is universally recognised in such countries, that the freedom of speech, association, thought and conscience, is a priceless possession which can never be bartered away out of consideration for any supposed national interest or gain. To do so, is to sell our birth-right for a mess of pottage. To do so, is for Democracy to commit suicide. It is felt that it is better that man should live and be free to err, than that he should die in spirit, made a doll and made to behave. No civilized government will dare challenge this position openly and directly. But as Democracy all the world over is still a far-off divine event, only a consummation devoutly to be wished for, the Bosses or Oligarchies which are still ruling in the name of the people, have generally managed to whittle down in practice the just rights and liberties of the people by evolving legal fictions and fictitious conventions which surreptitiously take away by the left hand what the constitution professes to give by the right. The paper Constitution may be all right or nearly so, but the regulations, the bye-laws, the recorded precedent and the unwritten practice, will generally so operate in practice as to render that constitution not in terms of the just liberties of the people, but in terms of the unjust privileges of the close oligarchy. Even popular safeguards fail sometimes to protect the liberties of the people.

## VII. MODERN DEMOCRACIES : SOCIALISM.

The late Mr. Montague's Diary throws, for instance, an amount of interesting light on the "whittling down" process of the Indian

Reforms. America is a democratic country, but nowhere perhaps has the power of the big dollar and close organisation more successfully conspired to raise a Colossus of Popular Liberty with its feet of clay. Universal suffrage and literacy have not spelled much substantial gain in terms of mass emancipation and well-being. The masses of men are, therefore, groaning everywhere and restive everywhere. In the richest country of the world, the list of unemployment has been swelling into awful proportions. Russia seems to have broken some new ground. Whether Socialist Republic or dictatorship of the proletariat as a step forward to that, be or be not a perfect solution of the present tangle in human affairs, there can hardly be any doubt that it represents an undeferrable attempt to rally and bring to a head the forces in the mass-mind making for a new dispensation, in which there shall at least be equal opportunities for all for realising the best in them. There is no doubt that a social structure in which the relationships of men and men, and of men and women, will be more equitably and harmoniously adjusted, is in the throes of birth, but it is premature yet to predict that that structure shall be such as has so far been fashioned by the dreams and labours of a Marx or a Lenin. For our part, we do not believe that there is hope of lasting human regeneration from a merely materialistic interpretation of history or from an attempt at a materialistic remodelling of man, of his purposes and relations. We must probe deeper for a correct diagnosis and truly helpful prescription. We must be able to get beneath the material cares and wants of man, and lay bare the essential and imperishable divinity of his nature, the supremely True, Good and Beautiful in Him. That quest we cannot afford to give up as one after a treacherous chimera, as a running after a perfidious delusion. In so far as religion may have acted as an opiate to deaden our sense of wrong, and paralyse our will and capacity to redress it, it must go. We do not need religion as an ally of injustice and tyranny, as a bland but powerless spectator of our helplessness and an oily-tongued but unrelenting endorser of our lot of misery and wretchedness. We need religion to feel and realise that we are essentially blessed and immortal, that we are free and the makers of our own destiny. We need religion to love and serve, and not to hate and oppress. We need religion not that we may meekly offer ourselves to be crucified, but that we may derive strength and hope sufficient to bear the cross which life inevitably is, in spite of our best endeavours. We firmly believe that though matters are being brought to a head by the gradual resurrection of the Workers and the Peasants all over the world, and the solution of the problem of the reconstruction of human society cannot be long deferred, that solution has yet to be approached along a route which neither the genius of Russia or any other modern country has, so far, wholly discovered, but for the finding of which, we have to seek and consult the Sources of Ancient Illumination of the Mystic East. Perhaps nothing but a deep, invigorating and soothing drink at the Fount of the Ancient Indian Culture will ally the burning thirst in the spirit of the Age.

#### VIII. THE SIGNIFICANCE OF INDIA'S POLITICAL REGENERATION

India's political regeneration at the present moment is, therefore, well-timed. Her cultural Self shall not speak except through

her politically emancipated Self, India, free in her body as well as in her soul, is perhaps destined to show the way to the true emancipation of the struggling and groping masses of humanity. India puts forward her claim in no bragging spirit. For this, it is essential that India, in her present struggle for political and economic freedom, should keep to lines of effort which radiate from, and harmonise with, the law of her essential being. She cannot afford to depart from those lines, if she is to play her appointed part in the international drama of tremendous import, which all the deeper and surer tendencies of the present world situation are about to stage. If, when the time comes, India be found not ready with her part, or only ready with somebody else's part, then, assuredly, the world is going to play Hamlet with the part of the Prince of Denmark either left out or "murdered." It is quite in the fitness of things, therefore, that the masses of India are fighting to-day for bettering their lot as satyagrahis, under the leadership of one who, more perhaps than any other living man to-day, has lived truth and non-violence in his life, and stressed them in people's fight for emancipation. Truth and non-violence are the essence of the message of Indian Culture. If, therefore, the present mass struggle through these pure methods should succeed, the masses of men, not only in India but all over the world, should have a new taste of strength and a new inspiration of hope for the great task of the Reconstruction of Human Civilisation which awaits them.

#### IX. THE MASSES

It is to be borne in mind that the masses of men as masses are more or less an amorphous mass and a pliant material in the hands of a forceful and organised few. Neither universal education nor participation in the affairs of corporate life, can materially change the nature or supply the natural deficiencies of the mass mind and mass psychology. Even in a republic of the Workers and Peasants, the *de facto* dictatorship must lie with a few powerful leaders and organisers. It is these latter that will really manage in the name and in the interest of the teeming millions, whose dictatorship can, in practice, mean little better and more effective than passive acquiescence in certain thinkings made for them and certain measures taken for them. It is not that the people as such cannot or will not think and act for themselves. But the very conditions of the country state as distinguished from the city state, such for example as we had in ancient Greece and Rome, determine that they must do their thinkings and functionings through, if not at the bidding, of their deputies. These are the circumstances of an organised and representative government from which there appears to be no escape. Every state is a huge and complicated machine, the levers of which can actually be worked only by a few skilled upper hands. We can indeed decide by universal vote who those upper hands shall be, and also perhaps, how that machine shall work. But once the titan of the state machinery begins to work, the upper hands as well as the lower, find themselves carried by the sheer weight and momentum of the thing. The case is comparable to the working of a large army in the field. The common soldier might have had an infinitesimal yet real voice in the choosing of the general staff, and also perhaps, in the fixing of the objective and purposes of the operations. But when the

operations begin, he finds himself in the position of a screw or a pin in a vast complicated machine. Any State, even a Soviet State, must work substantially according to a pattern like this. A Capitalistic Oligarchy works in the name of the people, but not in the interest of the people, except in so far as it may be compelled to do so for the preservation of the machinery of the State itself. Constitutions, laws, their working and administration, are such that the seat of power and control shall substantially lie in certain exclusive classes. A multi-millionaire cabinet thus tends to become the rule rather than an exception in a democracy like America. Such failure of democracy is writ large on all modern representative institutions. The toiling and sweating masses of men are chained to the wheel of the car of this modern Jaggernaut. In no case perhaps was this tragic helplessness of the people more monstrously demonstrated than in the last Great War, when millions of conscript men—able-bodied workers and peasants—were rushed to the fronts and chained to their posts in the typhus-fouled trenches to be blown into powder by the shells from the big guns or to be suffocated or mentally deranged by the poison gases. They were told that they were fighting and spilling their life blood for their country and for their hearths and homes. And yet, if the masses of men instead of their masters, who are euphemistically called their ministers, were to face one another with a view to settling their differences, the last thing they could do was to draw the sword and fly at one another's throats. And the fact that this means a mutually exterminating war, would prevent their doing this last thing. War may be a game of calculation of profits and losses with the statesmen and financiers, but it is a business of life and death with the masses of people. It is true that the pugnacious and pugilistic instincts of men have a deep and almost irreplaceable biological basis, and all militaristic oligarchies, whether one specimen should call itself German Kultur or by any other name, have taken advantage of this to inject into the nerves of their people the fatal bacilli of war madness, where centuries of social education and culture-experience have naturally succeeded in inducing an war aversion bordering upon warphobia. It may, perhaps, be safely asserted, that power and privilege having been allowed to accumulate in the hands of the few, the government of any country has, more or less, taken the character of an army of occupation, and its sanction has been in the nature of more or less organised violence. Whether in times of peace or in times of war—and of real peace we have none—international relations have been the strategic relations of belligerent armies, which actual violence or threat of violence, open or veiled, is alone expected to be able to alter.

#### X. MASS EXPLOITATION : OLIGARCHIES

It will not do to complain that this is an overdrawn picture of the actual state of things. Without accepting any brief for the Communist, one may claim that the picture is a substantially true likeness. It need not be held that all oligarchies are by nature a viciously grasping and grabbing lot. Some members of the ruling oligarchy may be "benevolent" despots, not merely by inclination, but also in intention. Some may really act from patriotic motives, honestly believing that their dispensation, like those of a benign Providence, are really for the good

of the people. They commiserate the dumb suffering masses, and would be happy to play the shepherd to a helpless benighted flock. But the system under which they propose to work as angels, makes either co-workers or martyrs of them all. Caught in the coils and tentacles of this system, in the arms of this octopus, these good men ruefully find that their best wishes and endeavours illustrate only the proverbial mountain in labour. Whilst the system makes them cowards or martyrs, it makes the masses of men dupes. They are taught to believe that all is for their good, that their affairs are being looked after for them by the best possible of all managers under the best possible of all arrangements. To achieve this end, insidious coercion may be wedded to sedulous persuasion.

## XI. THE VICIOUS SYSTEM

The system itself works viciously, and its touch tends to make the good metal base. It makes the close bureaucracies work primarily for their own interest, and only secondarily for the interest of the people. The people is to live for the system, and not the system for the people. Measures of reform have been demanded, and have of course been conceded, but the system remaining what it is, reforms have generally proved either sops or palliatives, and not remedies for radical cure. The industrialisation of civilisation by bringing into ever stronger relief the causes and circumstances of class warfare between the capitalists and labourers, has to-day made that demand for a radical solution more acute and more urgent than ever. No more dallying or trifling with the seething mass of misery and wretchedness. It already appears that a right earnest attempt at a satisfactory solution cannot long be deferred by all the combination of the hostile or sinister or lukewarm interests of the usurping few. The French Revolution had been a writing on the wall, but small group interests, though temporarily shaken, did not heed it, and in the name of republics and commonwealths, have largely succeeded in consolidating their position. They have managed to hold the people in serfdom by other spells and devices. They have generally succeeded in buying the acquiescence or even the loyalty of the people by the lure of empire or world market which, in so far as the sweating masses are concerned, has proved a mirage. It has not found them or their babies rise one fine morning with the gold or silver spoon in their mouths. Their ration of "grass and water" has not materially changed under the loftiest or proudest Flag. The average of so many dollars or so many pounds per head of population has remained a mischievous myth and a treacherous slogan.

These are strong expressions, but all seeing minds will perceive that their substance is not far removed from the truth. It is true no doubt that in all free countries, the awakening of the Mass Mind and the assertion of the Mass Will have been growing apace, necessitating a safeguarding as well as a responsive reaction and adjustment on the part of the privileged classes. We may find, therefore, that more measures for the amelioration of the lot of the toiling masses are to-day on the legislative anvil of all progressive countries than we were accustomed to find yesterday. But the pace and the measure of the relief given—assuming that it is real and not illusory—are far too inadequate and insufficient in all conscience to meet the actual require-

ments of the situation. They are like few drops of rain falling on a desert. They fall neither in plenty nor in grace. They look not like a genial shower from heaven, but like a filthy and niggardly spatter from a hose. The thirst of the people is not appeased, and their souls do not expand with the pure breath of satisfaction. They feel that they have been fed and fondled in their cages. And while perhaps they are fed and fondled, new bars are put in their cage of captivity, and new chains are put to their legs. They have got the concessions as doles of gift, and not as things they can claim as a matter of right. The crumbs from the table make them, or most of them, dance in glee, and forget that the usurper is feasting on the loaf which they themselves have made with the sweat of their brow, and to which they alone can lay a just claim. What is needed is a frank and sincere government not only for the people, but also by the people. And this latter condition does not seem to be fulfilled by the working of the type of institutions now prevailing. One may concede that the tendency—the ultimate tendency though not the immediate—of the modern institutions is towards the emancipation of the masses, but it seems that that tendency and that promise can fulfil and redeem itself, not by continuing or even evolving the given systems, but by breaking them, like the butterfly issuing forth from the chrysalis by breaking it to pieces.

## XII. SOCIAL REVOLUTION, AND THE MODERN EVIL.

We have not minced matters from the point of view of the Social Revolutionist in giving a description of the disease which our souls as well as our flesh have been heir to under the existing conditions. In this Introduction, and within the space at our disposal, we did not expect that we should be able to probe to the very roots of the disease. And yet that is to be done, or tried to be done, if we are at all to expect a really hopeful prognosis and a truly helpful prescription. We are not prepared to take a despairing view of the present state of things, and say that all human institutions of the day are malignant growths, cancerous formations, which the sooner we are able to cleanly operate away, the better for the welfare of humanity. We must courageously spot the disease centres in the body social, probe into them with a firm and precise hand, and call a spade a spade if the malady and its symptoms be in fact grave. Mild self-deception is no better than soft palliatives which may prolong and aggravate the illness. All modern movements must accept the challenge of the present malady. The Indian Movement must do so in particular. It is simply not because one-fifth of the whole human race is here concerned. It is primarily because India's ancient and still living culture may be expected to supply a new and more satisfactory *modus operandi* for dealing with the challenge.

Of course, there are views in which the present world problem presents no features that one need take as far outside the normal—as morbid or malignant. It may be said that it has always been so with the history of man on earth. Human society has always found itself divided into classes and masses. And they have always clashed, and history has, so far, known no happy adjustment. The contending parties have played an eternal tug of war. Victory has vacillated, but

has never been finally won. On the whole, things and relations are moving towards betterment. Every succeeding century finds the relations better adjusted, and the general human order consequently improved, than the foregoing one. Let us, therefore, continue to work with patience and faith. That this view is, in one sense, true, need not be denied. Epochs and ages of history may indeed compare notes with one another, and try to find out whether human liberty and human happiness have on the whole advanced or regressed. Indian Culture and Indian History do not subscribe to the view that the progress of man has been a continuous ascent in all directions, that the modern state of man represents a sheer rise in altitude as compared with any preceding state. The curve of History is a complicated curve, shewing advances and retreats, ups and downs, progress in certain lines counter-balanced by degradation in other lines. The modern age, for example, represents a very considerable advance in man's knowledge of the physical universe, and in his ability to turn a part of that knowledge to the service of what we may call the peripheral needs of man as distinguished from his central needs. But this gain in one direction does not necessarily mean that there has been corresponding gain, or gain at all, in other directions. It cannot be said that man is healthier and happier, freer and nobler to-day than his ancestor was yesterday. The boast of the moderner that he is, in essential respects, more grown in stature, may, after all, be found to be an empty boast. Nor may it be true to say that the modern problems and the modern solutions of them are peculiar and novel experiences in History. It may not be to-day only the masses of men are rising in revolt against the tyranny of the privileged classes, and against all the religious, cultural, social and legal fictions by which these have sought to bolster up their specious authority. Perhaps in some unwritten pages of History, one may read records of the modern experiments of human reconstruction on bolshevik or nearly bolshevik lines having been tried in the past and found wanting. Perhaps before now, the physical needs and the economic relations of man were stressed at the cost of his religious and cultural sanctions and consolations. Perhaps before now, the corporate relations of man were sought to be laid primarily upon an economic basis. But perhaps the attempt to treat man as primarily an economic animal failed. Perhaps it failed more grievously than did other experiments conceived in the same purpose and directed to the same end. It is true we are to-day making the experiment under altered conditions, which may, theoretically, justify the hope that we may succeed where our forerunners had failed. We may, no doubt; but shall we?

### XIII. THE NEW PROGRAMME, AND THE CHALLENGE

It is to be remembered that the economic equalisation of men by the nationalising of all property and all industry and other cognate means and methods, is not the only solution that has been thought of, of the appalling problem of human bondage and suffering. What did Buddha, Jesus and others live for, if not to find a way out of this? What, again, could have been the meaning and purpose of the religion and culture of the Indian Upanishads? What, again, could have been the purpose of the heroes and supermen



in the various spheres and walks of life who lived and worked, toiled and suffered, fought and won, so that the masses of men might see the face of light and joy? Can the world justly repudiate its debt to the genius and initiative of these men? It is true no doubt that religion and culture have allowed themselves to be largely exploited by the privileged classes, and in order that the exploitation may be easy, they have clothed themselves with all kinds of fiction. It may also be that the masses of men have been drugged and charmed by them, and so, have been willing enough to be led to the slave markets or slaughter houses. But, surely, this does not dispose of the case for or against religion and culture as such. There may, nevertheless, be a Religion of Truth, and a Culture of Refinement.

We cannot and need not discuss the large and vital issues involved in this Introduction. We need note only that we are to-day confronted with a variety of claims which shew no tendency to easy reconciliation and adjustment. First of all, there is the claim of the socialist and communist that he can, by relaying human ideas and human institutions on an equitable economic basis, rid the world of its most grievous injustices and its most mortifying miseries. His method may be revolution or evolution. He may think of one phase of transition or of many. But, in any case, it may be thought that with human society settling down in a proper frame of economic adjustment, men and women will cease to be sorted into mutually warring classes with clashing interests and motives, but as equals, in status and in opportunity, shall fraternise. And since greed and lust of power have their basis in the instincts of private possession and exploitation, these, together with all their evil brood, shall disappear in a dispensation which saps away the basis itself. There being no special privileges, the privileged class must be extinct like the dodo. All being workers, and the community of world workers being the sole capitalist, the economic, political and other relations of men shall be free from the virus of class rivalries now shewing itself, amongst other things, in class legislation. Classless society may not be a dream only. Men and women shall be really free which, under the *ensemble* of unjust and unbalanced economic conditions of the world, they have never been. Of course, we cannot reach the ideal order of things—the *Satya Yuga* of the Indian conception—at a single leap. But we must work unceasingly with faith and courage for a speedy, though gradual, ushering of the Millennium. We must have to pass through stages which may perplex us with their imperfect adjustment and peculiarly knotty problems, but which need not disband us and send us away in dismay.

#### XIV. THE MERITS OF THE PROGRAMME

We need hardly say that all idealists, who suffer and sigh for a better order of things, will be attracted by a prospect and programme that promises to create so much beauty, and essays to achieve so much good. We remember to have read in our younger days a book called *News From Nowhere* which left a profound impression on our mind. But that *Nowhere* is no longer an Utopia without a local habitation and name. Lenin has by some been called the world's idealist and realist. The grandeur of his conception and the boldness of his execution have awed and amazed the world. Some, however, would still prefer the

old wine of Maxism to the new wine now in effervescence. The challenge represented by the Communist Movement can no longer be ignored or merely dallied with. Because it is impelled by a very real and vital urge. All accepted conceptions are to-day shaking in their roots, and all time-honoured institutions are now tottering on their foundations. It is so, and increasingly so, even in the India of to-day, where the oldest, and perhaps the noblest, culture and civilisation of the world have still been alive. When the challenge has made itself sufficiently wide and articulate in India, that culture and civilisation will have to take it up and answer it, or they will have to go the way of the unfit and unwanted in human history. The industrial workers are rising already, and other workers and the voiceless peasant of India will soon rise, and who will oppose this Titan, risen and stalking the land, and challenge its power for good or for evil?

We must differentiate the substance of the New Idea and Force from what we may regard as its accidents. The substance, which opens before us the prospect of a Human Commonwealth in which all shall be free, all shall be equals and brothers and sisters (or comrades in the truest sense of the word), must gladden all thirsting and aching hearts. God's Earth would not be worth living upon if the lot of the masses of men were to continue for all time as it is now. Blessings of the Earth would be sham and worse than sham if they were to be monopolised by a selfish few, who by merely dangling bubbles of doles before the eyes of the many, would exploit them for the purpose of guarding and keeping in tact their own citadels of monopoly. The State must be the People, and must be made to function by the People and for the People. We say function and not govern, because, conceivably, at the final stages of the process of socialisation, government itself may cease to exist. The Parliament may become a house for storing cow-dung manure. This central idea we may call the substance. It is a fascinating and reassuring idea. No one can fail to be impressed by the truth and justice, and drawn by the beauty and magnetism of the idea.

#### XV. THE NEW PROGRAMME TO BE EXAMINED

We shall not here discuss the point whether the Communist with the zeal of a new convert and with his passion for a new vision of things, is or is not overstating the case against the bourgeoisie and capitalist. It is just possible that he has a case, and that he can make out that case, against Capitalist Imperialism which he, rightly perhaps, condemns as being incompatible with true Civilisation. But that does not settle the issue whether true civilisation can possibly evolve under conditions which do away with individual proprietorship in any form, and therefore, seek to suppress the naturally virile springs of initiative and action which are given in individual proprietorship. The question is this : Civilisation has suffered owing to individuals running wild and running amuck with their individualities ; will Civilisation thrive by weeding out the proprietary and other cognate rights of the individual, and by making the State or the Commonwealth the sole possessor and dispenser of human rights as well as goods ? Is there not a chance of the Organisation running wild and amuck too ? In other words, is it likely that human civilisation will fare better by an uncompromising

and unrelenting crusade against individual proprietorship and the motives of action connected with it, or under conditions which allow them to exist, and yet ensure that these shall not exceed their just and legitimate bounds? Is it proved that individual rights can have nothing good in them, and the denial of such rights can have nothing evil in them? Or, that the good of individual rights is more than counterbalanced by its evil, and the evil of state absolutism is more than counterbalanced by its good? All sensible people will recognise that each form has its good as well as bad points. But they may reasonably ask—Is it the best possible arrangement to go in either for the one or the other in its extreme form? For long centuries—and particularly since the days of the industrialisation of civilisation—the masses of men have been literally groaning under the crushing weight of the morbid and malignant accretions and offshoots of individualism. The weight must be lifted, and lifted without delay. But can we, and should we, lift it by using a lever that also smothers some of the natural impulses that underlie individual initiative and make for individual advance? To cure individualism of its admittedly wrong and vicious twist, shall we break it and render it impotent for good as well as for evil? This is a large and complex question, which can hardly be adequately answered by merely taking man as primarily an economic animal. The whole constitution of man, both as an individual and as a social being, will have to be deeply gone into, and we require not merely an economic, or primarily economic, overhauling of the human self and human relationships, but a complete, or as nearly as possible complete, Philosophy of life. We require to be assured beyond doubt that our affairs will straighten themselves after we have put right our economic relations. These relations are indeed vital, and we may be justified in refusing to put up with any arrangements that pretend to give us empires, world markets, cultures and religions, but keep us or leave us in bondage and misery. To be able to live according to a decent standard of living, may be deemed as more important than to have so-called cultures and religions. It may also be thought necessary to rid ourselves of these so-called cultures and religions that have been found to have played false to their main charge, and allowed themselves to be prostituted by the usurpers of the just rights and deserts of the people. It may be hoped further that the emancipated brotherhood of man will, in its normal process, evolve its true ministering religion and humanising culture such as may be needed by it.

#### XVI. THE RISK IN THE NEW EXPERIMENT

But the risk is that the attempt to solve the problem on the assumption of economic data alone, without a grip over the whole key-board of human springs of action, may be discovered to have failed by defeating the very end it has had in view. Because all one-sided and abstract solutions—all solutions that propose to treat man in his cross-section, either economic or cultural, are bound to fail. It will fail even as one-sided cultural solutions have been seen to fail. Man has not improved by being too material or too spiritual. It is just possible, therefore, that a material and economic adjustment will be discovered to carry within itself the seed and fuse of its disruption, and that its dispensation may ultimately be found to produce a breed of animals

better fed and cared for perhaps, but coarser and fiercer in nature and equipment. And as all that glitters is not gold, so all that passes for literacy and education may not be culture. There is a danger of their being turned out of the State machinery as such products, if that machine is run according to materialistic conceptions alone. Besides, the machine must work as an organisation, and even the dictatorship of the proletariat must express itself and function through individual dictators who, impelled by love power and other allied motives, may ultimately conspire to form oligarchies, though, possibly, of brands different from those now prevailing. The taste of power is like the taste of blood. The Moscow Mint may be found to turn out better types of human coins, but all stamped with the image of Lenin or Stalin. It will not do to dream that the world will be rid of its evil simply by denying the individual to possess property on his own right and account. Evil will be sure to find other loopholes to come back. To shut it wholly and effectively out, we must have eyes all round. In other words, we must essay to deal with the Complete Man. And this we cannot do by "standardising" men as we standardise the industrial products.

#### XVII. THE NEW IDEA : ITS ESSENTIALS AND ACCIDENTS

These considerations lead us to what we called the accidents of the New Idea. There ought to be no question that an economic and social reconstruction of the seething mass of humanity with a view to their emancipation and betterment, must be undertaken without the least avoidable delay. For this, our conceptions of proprietorship and other allied things must be thoroughly revised. And also, there must be effected transference of power from the hands of the oligarchy to the proletariat. This is an admitted position. But the question is—How is this to be effected, and under what conditions? There are various ways, and various possible *ensemble* of conditions. To break Capitalism by violent revolution is, and has in fact thought to be, one way. But it need not be the only way. Nor need it be the best and the surest way. Violence does indeed seem to cut the gordian knot that cannot be easily untied, but it is a double-faced weapon. It cuts not only what it is intended to cut, but it cuts also what it is intended not to cut but to protect. What violence represses, it only compresses, and what is compressed is bound sooner or later to recoil and rebound. Masses of people imbued with the cult of violence will not and cannot put it aside even when they have reached the objective they set out to reach. It clings to them like a poisoned cloak, and eats away into them and those that come in contact with them. Besides, to lead people into the alleys of blood is to hand them over to the unquestioned sway of the army dictator. For, if they must fight, they must do so as an army, and service in the army is hard as it is exacting. The proletariat army has, therefore, a natural tendency to crystallize into militarism, whether red or any other brand. There is just a chance of the cherished rights and liberties of the individual worker or peasant being crushed under the steam roller. He is given education and a decent standard of living, but not much of actual freedom.

#### XVIII. THE CLAIM OF RELIGION

Again, is it really necessary for achieving what we have in view to

make religion itself suspect? Is it necessary to wage a relentless war against all institutions that may have the stamp of the individualist regime? It will not do to say that resort to violence and all the rest of it represents only a temporary phase of the struggle for human emancipation, that force is necessary for forcing the pace of society getting into an order in which force will no longer be necessary. The plea is similar to what commonly falls from the lips of the imperialist when waging war that it is a war to end war.

#### XIX. THE INDIAN POSITION : HOW IT IS AFFECTED

Without opening and inviting discussion on the question here, we shall only note how and to what extent the Indian position is prejudicially or otherwise affected by the impact of the new cult. In one sense, the idea is not new to Indian ideology, if not to actual Indian history. In the Purans we read of a condition of human society—whether mythological or real—in which there was no private property and no government which is chiefly an institution for the regulation of the conditions arising out of the possession of private property. But, then, there is nothing to shew that the ancient community was anything like an association of industrial workers and peasants. It is said in some places that it was during the time of Prithu that the Earth was tilled and industries had their origin, men began to settle in villages and cities, and government was established. The first race had been physically and morally so perfect as not to want these. The picture is intended as one of a race of supermen who had outgrown the material as well as moral imperfections of our terrestrial existence, and not of primitive humanity in its nomadic, pre-agricultural stage. It may be a pure utopia, but the underlying idea, though in essential respects similar to the dream of the present-day socialist, does not show the first man as primarily an economic animal. Of *Dharma* in the sense of a regulating system of laws he requires to have none. But *Dharma* in the sense of physical and moral harmony and excellence he possesses in full. Truth, Purity, Non-violence and Contentment are natural with him. It may be an ideal only, but it shews nevertheless the truly Indian conception of the ideal. It does not suppose that man will grow perfect, or tend to become so, when we have planted him in a just and fair economic soil; but that, given high ethical culture, he can and will put his whole social house in order. The question is—At what end should we grip man? At his hands and feet or at his heart and head? Should we treat him primarily as a lump of matter or as a spark of spirit? And how is the lump related to the spark?

#### XX. INDIAN SOLUTION

The Indian solution has refused to treat him either as one or the other, but as a Unity in which the spirit is at the centre and rules, and matter clothes and vehicles and obeys. The Philosophy of life such as is rendered unto us in the Indian Upanishads and the Wisdom of the ancient seers and experimenters, always keeps in view this unity and interdependence, and the Swarajya of that grand old conception is not merely the Kingdom of a far-away Heaven, but the Kingdom of Heaven on Earth, in which the complete Selfhood and Brotherhood of Man is realised. Religion and culture can have no other purpose than to realise

the True, Good and Beautiful in us—the Atman, the Brahman not only in us but in all things. Realising the same Atman—essentially blissful and free in all things, man must love all as he loves himself. Seeing the same Rama, or Krishna, or Shiva or Shakti in all beings, he cannot possibly hate or think in terms of greed and violence. His greed must be the greed of love, and his violence must be the violence of his passion for service. He does Karma essentially as a play out of joy, and he and none else is the maker of destiny. Nay, it is by Karma that he creates the theatre and scenes of his action—his “world”. He is not caught in the meshes of Necessity, and, fundamentally speaking, there is no such thing as Fate or Naseeb. And if this is not an uplifting Philosophy of life, we do not know what uplift means.

## XXI. THE TRUE UPLIFT OF MAN : RELIGION AND CULTURE

And the realisation of man as a Magazine of Power, essentially true, good and beautiful, fundamentally free and blessed, and of the World as the amplification and illustration of his own true Self, and not as his material or obstacle or reflex, is not to remain a pious hope and a cherished dream, but is to be effected by the pursuit of a true and complete Science and Art of life—which is Religion and which is Culture. Religion and Culture must abide by the test of any truly great and beneficent Idea : It must be better able to reduce the sum total of misery and wretchedness, not only hereafter in heaven, but here below and now, than any other alternative scheme, and it must better insure Equality, Fraternity and Liberty than any other arrangement. If it posits an after life, an immortal soul and a progressive destiny ; if it assumes a moral government of the world and a Beneficent Power assuring the triumph of Justice and Righteousness, it must do so not by the way of dogma, but by the way of experimentation and proof. In short, Religion must justify itself as the *Purna Science*—the *Para Vidya*.

Now, Indian civilisation has claimed that it has been so here. There has not only been such a Science in India, but an art designed to translate it into practice and adapted to the varying needs and requirements of all. In the field of practical adjustment, it generally proceeds on lines of peaceful evolution, which does not disturb the evenly balanced working of the moral impulses, but, under exceptional circumstances when *Dharma* is especially low and turbid, it does provide for revolution under the right kind of inspiration and guidance. It does not ordinarily dispense with private proprietorship, but it makes the peasant and the worker his own proprietor ; and it provides against the abuses of private proprietorship by creating sanctions, humanising and effective, of religion and culture, which require the individual to hold his property as a trust for the whole community of sentient beings, and to use it for the well-being of all. The five-fold sacrifice that the householder must perform is a guarantee that it shall be so and not otherwise. Each householder, again, must pass through certain stages of life, the first of which is a life of strictest discipline and education when he has no property beyond “the alms” that society gives him ; the second of which finds him a free householder no doubt, but not free, as we have seen, to use his rights for self-aggrandisement ; the third

and fourth of which find him in the role of a forest hermit and an wayfarer, who through Yoga and renunciation not only seeks and finds the Light, but, as a minister and servant of the people, must bear the Torch to every door. He has no property then save his Atman, and no care then except the care of the sentient beings. The Indian conception does not exclude the dumb "brute" creation from the range of man's fellowship and service. They too belong to the great Community of Life. Thus every man is born under a triple debt—the most important of which is his debt to this Community of Life. The other debts are to the originators of his culture and civilisation that have made him what he is, and that should prepare him for a higher state, and the very highest. Society must be divided into a number of organs for different kinds of functioning. These are the classes. But their relation must be of the nature of organic interdependence, no one being superior or inferior to any other. The principle of true aristocracy is recognised, but it must not degenerate into oligarchies of the mailed fist or the dollar brand. The aristocracy of brain, character and sacrifice, of universal love and service, must inspire and inform, and control the whole thing. That aristocracy must be the poorest of the poor, must be content to live according to a standard materially plain, but culturally and spiritually high. In short, their life must conform as nearly as possible to the ideal of the true Brahmin and Sanyasin. Social and legislative sanctions should co-operate with religious and cultural sanctions to ensure that leadership may really be vested in an aristocracy of true renunciation and good will. Mr. Churchill has expressed his fear that the present Indian movement is an uprising of the dark Brahmins against the rule of the "white Brahmins" who had saved the masses of India from their oppression. This is no doubt a distortion of truth. The masses themselves are rising, if they have not risen already. And it does sometimes look like India, too, being caught already in the tornado of industrial and agrarian revolution blowing harder and still harder all over the world day after day. But even assuming it were a Brahminical uprising, the tidings should have gladdened the hearts of all who, since the days of Plato's Republic, have sighed for an Utopia or Earthly Paradise, if only we could be sure that the present-day Brahmins were true to the type of their Indian ideal. Then, they would have been the people's true ministers and not false usurpers.

## XXII. INDIAN CIVILISATION IN THEORY AND IN PRACTICE

Indian civilisation has been consistent in its theory as well as in the varied application of the theory. In saying this, we must not confound the substance of that civilisation with its many morbid accretions and parasitic growths. A civilisation at least fifty centuries old, is almost sure to present some morbid features. Even the most beautiful civilisation on earth shall age and show signs of age. Those who lay the blame for the decay and downfall of India at the door of her civilisation, show culpable confusion of thought. They do so without stopping to enquire how far the fall—in so far it is a fall—has been due to the essentials of her civilisation; whether she has fallen because of these essentials or in spite of them. At any rate, it is a question demanding a most anxious and penetrating examination. Perhaps, India fell when

she lost the just balance and beautiful equipoise of her ancient scheme of life. In that scheme, she had avoided the extremes of too much spirituality or too much materiality, too much individualism or too much socialism, too much centralisation or too little centralisation, and so forth. Industries, artistic and useful, she, for example, developed in plenty, but she had not favoured power industries and mass production of the modern day. The Charka or the Spinning Wheel represents, in this way, not only the industrial self of India, but her whole individual Self. For, the Self of India is an organic unity, and this precludes the possibility of a simple transposition of limbs between her and any other foreign organism. She cannot simply take over the western problems and their solutions. She must have them in their Indian form and Indian spirit.

### XXIII. THE PROBLEM OF INDIAN DEGRADATION :

#### NEED FOR DISCRIMINATION

There can be no question as to the magnitude of India's problem of degradation. But in looking at what she has lost and what she wants, we should not lose sight of what she has still managed to preserve, and what she will do well to refuse rather than want. The masses and the womanhood of India, for example, now want much, and the new order, to be worth anything, must supply it, but it will not do to forget in the present ikonoclastic holocaust, that their whole make-up so far has been nothing, and that their whole tradition and whole past history must be consigned to the flames of the new passions or cast to the winds of new fashions. It may be that as regards the elements of truly humanising and beautifying culture, their innings have been so outstandingly remarkable, that their position may be said even now to be unique and unapproachable. As we pointed out in our first Introduction, they have never lacked true freedom as expressed in their village life, true strength as expressed in their capacity for sacrifice and spiritual endeavour, and true culture as expressed in their deep reverence for Ideals and sweet benevolence in respect of the whole sentient existence. They have their sins of omission and commission also. But are they going to fling into the flames all the treasure of their unexcelled beauty and grace also? Shall we be blind to the dire possibility that their gain may not be gain at all, if they lose or are made to lose now what they ought never to lose? Shall we turn down her solution as out of date simply because it might have worked successfully in the past?

### XXIV. PLAY OF PLURAL PERSONALITIES

Modern tendencies, it is true, have complicated the situation also, and not simply worked it up. There is to-day a play of plural personalities in the Indian consciousness. Some of these are not her own. Some of these are opposed to her own. A vast deal of anti-Indian ideas, tendencies and methods are, therefore, seen let loose in the field. A great deal of hatred and violence, selfishness and exclusiveness is seen to be operative. The spirit to tyrannise and intimidate is rampant. Some of this is masquerading in a patriotic or even



humanitarian garb. India's fight is to be not only a fight against her real sins and foibles, but against these exotic, parasitic pests also. There is undoubtedly much in the modern tendencies which is stimulating and helpful. We must profit by it.

Since the present movement cannot be confined merely to the bounds of politics, but is sure to overflow into other spheres of national life, and have repercussions, wide and deep, on the international situation, we should be fully alive to, and keep ourselves ready for, all that is likely to come in the wake of the present movement. The Congress, as the most articulate and organised body of public opinion and activity in India, cannot afford to shirk or simplify its entire responsibility. If the Congress cannot or will not shoulder the whole burden, other shoulders should be able to bear it. If it be true that we are still living in the India of old, it is also true that that India is now rapidly changing. We are already in the grip of a revolution in ideas and institutions. In this revolution, we have much indeed to hope for, but also much to fear. The Congress, in placing itself in command of this movement, should be in a position to give a forceful and enlightened lead. It must not only ensure the freedom of the masses of the people in the future constitution by defining, in a just and enlightened spirit, the fundamental rights, but must also see to it that the future constitution shall be a truly *Indian* constitution in spirit and conception, in method and expression. By *Indian* we mean of course the really true, good and beautiful forms evolved by the genius of Indian civilisation. Many such forms are still alive or can be easily revived, and we must see to it that these are not recklessly destroyed in the present holocaust. These forms will be found to be helpfully good outside India also. And be it remembered that, in many cases, the forms are hardly less in-essential than the essence.

## XXV. THE CONGRESS AND THE INDIAN PROBLEM

Gandhiji has been called an enemy of the western civilisation, and this he is in an unmistakeable sense. He is its enemy in so far it represents Untruth and Violence. Many of its forms are to-day malignant forms, and there can be no compromise with these. Civilisation undoubtedly requires to be recast and remodelled on a simpler, purer and happier basis. And this end must be sought to be attained not by untruth and violence, for, in that case, the end itself will be sure to be defeated. What the world needs to-day is not Leninism as such, but Leninism inspired and informed by Gandhism. And this Gandhism should be inspired and informed by the Ancient Wisdom and Love of India. The goal should be nothing less than Purna Swaraj and Shuddha Swaraj in the truest and fullest sense of the word. Let the sacred rivers of India's inspiration and strength flow undefiled and unspent. Let the high peaks of India's glory and achievement shine unclouded and undimmed. Let her winds blow pure and uncontaminated by the foul breath of rank ungodliness. Let not the glories of her noble firmament flicker with timid and uncertain light. And above all, let not her Spirit stoop to slave, but to conquer.

## XXVI. POTENTIAL VIOLENCE IN AUTOCRATIC GOVERNMENT : ORDINANCE MAKING

We began by discussing the evils of some forms of modern propaganda connected with vested interests and safeguarded privileges which are the ruling oligarchies. Under representative institutions, their ways are coercion of public opinion which looks almost like persuasion, and exploitation of public feeling which has almost the appearance of guidance ; but under autocratic or despotic rule, however benign and benevolent, such coercion often takes the form of suppression and persecution. Every rule is based on consent or fear or both. In the present order of things, no rule seems to be based absolutely on consent. But in autocratic governments, it has to depend more on fear than on consent. It lives mainly by keeping the fear of the people alive. More or less drastic weapons must there be in its so-called legal armoury, and these weapons it cannot allow to rust. These represent so much potential violence. It has been called legalised violence. The legal sanction may be real or unreal. It is real, if it is an articulate expression of the will of the people, and is based on their free consent. Moreover, it must not militate against the fundamental laws of morality and conscience such as Justice and Benevolence and the fundamental Rights of Citizenship. The Ordinance which the head of a government, not responsible to the people, may promulgate over the wishes and even protests of those governed, are, therefore in the nature of arbitrary fiat or ukases, and have, accordingly, been called "lawless laws". It cannot be fundamentally right to accuse people of lawlessness when, on clear grounds of national self-respect, well-being or of conscience, they civilly disobey such laws. Of course, the government may hang them, and they may do so from the best of motives, but it may not be just to give them also a bad name before hanging them. The government should face the situation with candour and without illusions. One man may think a particular measure good for millions of men, and if he really thinks so, he should certainly seek to implement his decision as far as it lies in his power. Of course, the means employed should be as pure in his judgment as the purpose he has in view. And it is just possible that his word today may stand against the world as the word of Caesar stood against the world yesterday. One secret of the tremendous influence of Gandhiji lies perhaps here. But his word should not be law, and, he should not seek to pass it off as such. That would be fundamentally unjust, whatever be the mass of legal or conventional fiction he may take his stand upon ; and he may take it for granted that the awakened political self-respect of the people will refuse to treat with the most well-intentioned dictator, who refuses to dismount from the high horse he rides with them and continues to sign and send forth ukases like the inexorable Fates.

## XXVII. THE QUESTION REDUCED TO ITS LAST ELEMENTS

It is not ultimately a question of legal hairsplitting, but one of rendering the fullest satisfaction unto those for whose benefit the measures are supposed to be adopted. And for the full measure of satisfaction, two conditions must be satisfied. The intended measure

must be not only demonstrably good for them, but they must be satisfied that it is so. This is the first condition. Secondly, every self-respecting people want to feel that their interests are being looked after by themselves or by their accredited agents responsible to them; because, after all, they are shrewd enough to know that it is better for one to run the risk of getting into water and learn to swim than to remain always helpless in water and catching at the tight belt of others who can swim. The deepest grievance of the working people all over the world has been not so much that they have not been looked after by their employers, as that they have been systematically excluded from a position in which they can look after themselves. They have been treated as but means to an end, and not as ends in themselves. They have been tools and not persons. It is reported that Soviet Russia has been able to effect a great improvement in the condition, material and cultural, of the workers and peasants. The satisfaction would have been less than half, if this should have been done under a capitalist regime.

Now, the British Parliament, which in spite of the fact that it is now dominated by a Labour Majority, is still supposed to be largely under the thumb of the capitalist influences, passes an Act of India which makes the Government of India not responsible to the people or their legislatures such as they have, but to itself, through a Secretary of State for India. Under this Act, the Head of Government is given not only powers of veto and certification, but also that of adopting emergency measures called Ordinances, which may suspend the course of the ordinary law under circumstances of emergency. Now, the ordinary law and the administration of the ordinary law are not in a subject country what they are, or expected to be, in a free country. We have referred to the prince of the Penal Sections and we all know how beautifully it works. But the prince is not there alone. There is a large and magnificent retinue. The Section 144 Cr. P. C., for instance, has been seen to operate with such amazing, octopus-like elasticity in checking anti-Government or suspected-to-be-anti-Government activities, that there has recently been a non-official move in the Legislative Assembly to keep it to its legitimate bounds. To put it in short, the ordinary legislative powers enjoyed by the Powers that be, are far too large and far too wide judged from the popular standpoint. They might not have been quite so in conception, but it is generally supposed that they have—at least some of them have—proved to be so in execution. This is not so much a fault of the administrators, as of the irresponsible system from which they emanate and which they express. They are tainted with the irresponsibility at the source. They express not and reflect not the collective will of the people. They have not to conform to the test and endorsement of public opinion. But apart from these, the Government arms itself with certain emergency powers. It has been asserted that reservations and safeguards there must be in every Constitution, and that every Government must be provided with some emergency powers. But the parallel of a free Constitution in which the people have created and accumulated enough sanction to effectively implement their will, cannot be, without violence, extended to the case of a country where the Government is still irresponsible, and is largely founded upon might. The question ultimately

reduces itself to this: Has a country generated sufficient strength and sanction within to make its will tell whenever the reservations and safeguards and emergency powers happen to work prejudicially to its interests? The authorities' idea of the country's interests may clash with that of the people or large sections of the people; which is to prevail? Considerations of prudence as well as justice would seem to demand that in a free Constitution the Executive may be entrusted with large reserve powers, because in it, the disposition of forces may be such as to reduce the chances of their being abused to a more or less innocuous possibility. Even so, the people have occasion to complain of the tyranny of their Executive. The Executive have, in some cases, been justly accused of having encroached upon the just rights and liberties of the people. In an irresponsible Government, the reserved and emergency powers, working without the halter of popular control, should themselves be reduced to a minimum. The plea that without a large fund of them at their disposal, the Government cannot adequately discharge their responsibilities, is one that need not be summarily ruled out, but democracy has always looked upon it with suspicion.

#### XXVIII. DOMESTIC QUARREL: THEIR MORAL

If the people are not downright savages but are intelligent enough to know their interests, their domestic quarrels, communal or other, have a better chance of adjusting themselves under home rule than under the rule of a foreign power. Under home rule, the interests of the nation as a whole are likely to be more insistent in their demand for general recognition than under subjection. They will commonly be regarded as paramount, and will not be overshadowed or dominated by communal or sectional interests. The different sections of the nation will not fail to perceive that they all stand to lose by domestic quarrels, and that it will be in the best interest of all, if they are able to evolve and maintain an order of corporate life based on the principle of give and take and mutual accommodation. The communal problem is not peculiar to India. Other countries have had to face it, and find a solution to it. In India it may mainly be to-day the problem of the Hindus and Mussalmans. In other countries it is being worked at under different labels or colours. In some, for instance, it is the clash between the bolsheviks and the nationalists. But everywhere, it is tacitly recognised that domestic differences are rather complicated and accentuated by the presence of a foreign paramount power, which has taken upon itself the task of looking after the interests of the people, but may be supposed to be primarily concerned with safeguarding the conditions of its own paramountcy. The world has not yet seen an absolutely disinterested and philanthropic management of the affairs of one nation by another. And under the circumstances of the case, even their disinterestedness, real or assumed, will not be the sole decisive factor in the promotion and preservation of peace and amity amongst the warring sections of the people under their charge. Their very position as the arbiters of the destiny of the people and dispensers of boons and favours ("the loaves and fishes of office," amongst other things), will tend to foster jealousies and rivalries, dividing the people into warring camps, where the sense of community of interests and recogni-

tion of the larger interests of the nation, should otherwise generate and foster a spirit of co-operation and accommodation. With a third party dangling favours before their eyes, it is more likely that the parties will be actuated by party considerations rather than by considerations of general and vital good. Feelings of communal jealousy and greed will be let loose, and causes of quarrel will multiply and gather momentum, even if the rulers mean to play fair and square, and are not disposed to set the parties by the ears.

### XXIX. RAKING UP OF THE DYING OR SLEEPING COMMUNAL FIRES

As a matter of fact, after centuries of collision, the Hindus, Mussalmans and other communities in India, had already been in the process of settling down in what appeared to be a permanent framework of mutual understanding and accommodation. They had begun to be influenced by a growing sense of community of interests as neighbours, and had developed many interesting points of mutual contact in the forms and expressions of their civilisation and culture. India, it must never be forgotten, has never been suspicious and exclusive as a hostess, in spite of her many creeds and castes, but has, on the contrary, proved hospitable and accommodating enough—some would say, much too so—to divergent races and cultures and institutions. Her genius has been characteristically an eclectic and synthetic genius. She has been inspired and regulated by a breadth of outlook and catholicity of spirit which sees good in all religions and cultures, and will quarrel with none. This follows from the fundamental positions of her Philosophy of Life. The dominant christian civilisation of the day—which, unfortunately, has been christian neither in purposes nor in methods—has, as we before remarked, proved a potent factor in the stressing of the pugilistic impulses of different groups of men organised on a basis of selfishness, and, in spite of the boisterous slogan of internationalism and cosmopolitanism, has kept alive the elements of disharmony and strife. The seething humanity is, therefore, always in actual or potential warfare. It could not be otherwise in a system which lays such an exclusive stress on the material cares and craving of man, and, consequently, on his self-regarding tendencies. The communal balance which India had already been in the process of reaching was disturbed by many causes, of these, the domination by a third and foreign party, which tends to repress the consciousness of rights and liberties in the people, and does not grow in them a respect for the rights and liberties of others; which, being an irresponsible rule, does not promote a sense of responsibility in the people;—is no doubt the most important. The resultant effect of the current tendencies of the present day influences has also been to disturb the balance of forces everywhere. Some of these tendencies make for a new adjustment no doubt, but that adjustment on national lines is not assisted by the fact that the situation continues to be dominated by the existence of a third party which has interests of its own also to promote and safeguard. As a matter of fact, we find that the communities hardly, if at all, come in collision with one another except in the larger towns and cities where most of the sinister and brutalising influences of the modern industrial and political life have play. Outside the zones of these influences, the vast masses of men, Hindus, Mussal-

mans, Sikhs, and so forth, are living as good neighbours inspite of their divergent beliefs and customs, their so-called superstitious and prejudices and fanaticisms. The fact is that they are not without the redeeming features of a deeply liberating and humanising culture. The fact that India for long ages has been the home of simple handicrafts, cottage industries and agriculture ; that the masses of men have lived in autonomous and practically self-contained village communities, profoundly affected by the successive currents of moral and religious reformation and the permanent purifying influences which they left behind, but nearly unaffected by the many political revolutions and the stir and turmoil created by them ;—will explain much of the riddle of their living together so long in relations of concord and cooperation. India for long has refused to place her centre of gravity in politics or industrialism of the modern type. China's case had been parallel to the case of India. China is now already in the throes of a mighty change. She is already a republic, but not yet a centralised government like France. It has been said that in this very state of being a political chaos lies her strength. She is like a limp cloth that may be soiled and torn in one part, but may be good and intact in other parts. The inroads of the modern industrial appliances and methods are also sure to bring about a stupendous industrial revolution there, throwing out of gear all her beautiful and seasoned hand industries, and all the graceful, immemorial institutions connected therewith. She, too, like India, should not merely drift. Young China as also Young India should have time and courage to think before jumping into the fray. On the communal question, we find that in India we need yet not be disheartened, inspite of the occasional dark and diabolical episodes in the larger cities. The countryside is still sound. And the instructive lesson of the Indian States, in some of which Hindu majorities live under Mussalman rulers, while in some others Moslem majorities live under Hindu rulers, without friction and mutual recrimination, should not be lightly forgotten.

#### XXIX. THE COMMUNAL PROBLEM AND THE PLEA OF A STRONG HAND

We may be justified in holding, therefore, that the plea of a strong hand for maintaining order in India is without much substance in it. A just hand, a kind and tactful hand, and above all, an Indian hand, will prove a more successful hand than a foreign and strong hand. In fact, as matters are now moving in India, a merely foreign limb of the body politic is likely to find itself more and more disconnected with the vital motor nerves and centres, and ultimately, like a hand or leg that has been amputated and replaced by a wooden device. The Head of the Government, remaining mainly foreign and irresponsible in character, should not, therefore, arrogate to himself emergency powers which do not bear the seal and imprimatur of the People's Will. Let him assume these powers and functions when called upon by the people to do so. In respect of such powers at least, let him hold the People's commission. If there is the vast bulk of the Indian people, which prefers the present dispensation to the rule of the Congress Working Committee, let it say so. There is no point in the plea that it is not vocal itself, and somebody must speak for it. The people may be dumb, but they are not fools. They are intelligent enough to know

their interests. And if somebody must speak for them, why must that somebody be the Civil Service, and not Mahatma Gandhi, for whose *darshan* lacs of untutored and uninvited men and women will congregate, and some will actually be trampled to death? Why not he speak who lives as the poorest of them, rubbing shoulders with them, sharing their simple religions and their sweet cultures, and whose leadership has been so direct, so bold and so powerful, because it has been instinctively recognised by the masses that it is the highest kind of leadership that India has been accustomed to follow—the leadership of true renunciation and love? We only pray to God that He may vouchsafe His true Light also to His instruments on Earth, so that leadership in India may be in consonance with the spirit of her own best culture and civilisation. In some respects, Indian leadership to-day, as represented by the Congress and other modern organisations, has been, we are afraid, groping and erring under both false and uncertain lights. The free spirit in political and economic life has not yet evoked its counterpart in the matter of the theory and practice of life as a whole. The declaration of the fundamental rights of the people, has yet to become a determination to make India live in her own true, good and beautiful Self.

### XXX. THE NATURE OF EMERGENCY POWERS

We were discussing the emergency powers which have been conferred upon the Head of the Government by an Act of Parliament. These emergency powers are in the nature of absolute powers. There are no constitutional checks. It is the Head of the Government who is to decide as to what constitutes an emergency—what constitute its nature and the circumstances of its existence. It is his will, again, which is to determine the scope and limits, if any, of the operation of the emergency measures. A Privy Council decision has disposed of any doubt that might have been entertained as to the absolute character of the Viceroy's emergency powers. The law makes him the sole judge as to whether an emergency has or has not arisen, and the sole master of the situation when, in his judgment, an emergency has, in fact, arisen. This makes him a Roman dictator with this difference that whereas the Roman dictator was installed by the universal vote of the Roman citizens, the Dictator at Simla is so constituted by the vote of the British Parliament. The British Parliament arrogates this right to play the Almighty Providence in relation to one fifth of the human race, because, rightly or wrongly, it thinks that it has high imperial obligations to discharge in India. British statesmen of all shades of opinion have waxed eloquent over this topic of imperial obligations, and what has been called the civilizing mission, the trusteeship, the "burden" of the white man. Whatever plausibility there might have been in this claim in the days of Macaulay, India has long outgrown the state of tutelage, political or cultural, and has little patience with any arrangement that would seek to keep her in perpetual leading strings. It is quite possible that some Britishers still honestly think that they have responsibilities to discharge in India, and the candid assertion of the British purposes in India by the late Lord Birkenhead, some of the Press peers and others need not rudely shake them out of their apostolic complacency. But it is time they recognised that those

high responsibilities must now be discharged not after the manner of the gods reclining in lofty aloofness on the Olympic heights of Simla, but in the spirit and after the manner of comrades moving and toiling among the ordinary mortals as their helpers and co-workers. In short, government by dictation and coercion must give place to government by consultation and persuasion. In that case, the reserved and emergency powers, in so far they have not emanated from the will of the people and are not backed by the sanction of popular consent, must go. Mr. Wedgwood Benn in his speeches in the Parliament has sometimes referred to the factor of world opinion as influencing, if not actually determining, the trend of world events, including those in India. Why this reference to world opinion, and particularly American opinion, why this sensitiveness, why this apologetic and almost penitent gesture, if your conscience is quite clear on the nature of your Indian responsibilities and the manner in which you are discharging them? Is it not because you yourselves suspect that all is not as it should be in this your House of Denmark?

### XXXI. HOW ORDINANCES TEND TO WORK

It should be observed that, apart from the fact that many of the Ordinances promulgated by the Viceroy went direct against what are commonly accepted as the fundamental rights of citizenship, such as freedom of speech, association and persuasion, the safeguards against possible abuse, which the Viceroy himself had thought fit to incorporate, in howsoever inadequate a manner, in the preambles, did not seem to have been quite honoured either by the bulk of those who had been charged with their execution, nor, in all cases, by the courts of justice to which appeals were preferred in rare instances against what appeared to the sufferers as executive lapses or excesses. There was not uniformity of rulings upon what constitutes peaceful picketting, and whether such picketting does or does not come within the mischief of the sections of the Picketting Ordinance. It has also been judicially held that in interpreting the meaning of a Section of an Ordinance, we must look to the language of the Section itself, and are under no obligation to consider it in the light of the words which might have been used by the Viceroy himself, whose will and nobody else's the Ordinance in question expresses. In this way, the absolute character of the power, which the Indian Government possesses under the existing system, was laid bare in its colossal nakedness, and the constitutional helplessness of the Indian people exhibited in its pathetic grimness. Some of the Ordinances were of a fundamentally disturbing and perturbing nature—particularly the one which empowered the Government to confiscate the property of not only associations declared unlawful, but also of private individuals who might be suspected as having helped the anti-government activities. The fact was that the Government was fighting for its very being, and so, it was thought necessary and proper that it should not neglect to use any weapon that its legal armoury might place in its hands. And the impression among the rank and file, if not also the officers, on the side of the authorities probably was, that in this vital struggle, one need not particularly mind how those weapons were used, provided only that they were used effectively to check the onslaughts of the enemy and crush his Civil Disobe-



dience Movement. The morale of the fighters must be maintained, and officers and men are not to be lightly let down, because the enemy has been crying himself hoarse over their so-called excesses and brutalities. It is also possible that excesses were perpetrated by the Congress people too. We do not refer to the acts of terrorism of the party which do not subscribe to the creed of the Congress, and do not belong to the Congress organisation. Even Satyagrahis did not in every case remain true to their gospel of non-violence; and even if most of them did, it could not be claimed on behalf of the man in the street, who was somehow interested in the struggle, that his methods were in every case pure and inexceptionable. The brickbat—the non-violent brickbat which sometimes smashed only the fountain pens of European police officers—may, in the majority of cases, be attributed to rowdies or to *agents provocateur*. But it cannot be denied that, in some unfortunate instances, there were excesses, and even brutal excesses, committed by the people. That they did so under circumstances of grave provocation may be a plea based on crowd psychology, but it certainly does not absolve from guilt men who were taking sides with the Satyagrahis fighting under the leadership of Mahatma Gandhi—the greatest living apostle of non-violence. They should have rather stayed away than taken a violent and retaliatory part in the fray, if they were not sure that they would be able to restrain themselves in the face of the most exciting excesses committed by the police. This, however, proved a consummation only to be devoutly wished for.

### XXXII. THE DILEMMA IN WORK

We found ourselves between the horns of a dilemma. If the Government should act mildly—or, as the die-hards said, weakly out of a defeatist policy, there seemed little chance of their being able to cope with the Movement which aimed at its very life. To exist, it must deal hard blows, such as might knock out the spirit of the Movement. So-called excesses were, therefore, to some extent inevitable. The insurgent elements of the people had to be dealt with not in accordance with the Sermon on the Mount, nor in accordance with the principles of pure jurisprudence; but they had to be somewhat terrorised into submission. The lion had to shew that he was a live, real lion, and not an ass or lamb masquerading in his borrowed hide. He had to roar, and not bray or bleat. And he had to make the power of his paw tell. A “moral effect” had to be produced. All governments think that they can, and ought to, act so in circumstances of grave emergency. But under free constitutions, their hands are more or less tied by statutes safeguarding the rights and liberties of the people above everything else; they have also to formulate their plans in due deference to the major currents of public opinion, which is always “the power behind the throne.” No government would be safe for a day which dared to fly in the face of these currents. It would be smashed even as R. 101 was smashed.

If, on the other hand, the Congress were to fight with its army of Satyagrahis only and did not allow the people at large to be associated with them as camp-followers, and possibly, also, as reserves, a very large part of its purpose would remain unfulfilled, and a very large

discount would be placed on its total gross assets of success. A single Satyagrahi can, it is true, win his point by remaining a Satyagrahi. But his point won will not have much point in it, if he be a solitary Satyagrahi on the moon. The masses of men have to be associated with the Movement. And the more intimate and vital the association, the better. If they can be associated as camp-followers trained on Congress lines, as in Guzerat and some other fields of operation, we need apprehend no serious trouble. But in an All-India campaign of operations, such training would take an infinity of time. The country cannot, and is in no mood, to wait for a far away millennium. Risks have to be taken, and were taken by the Congress General Staff. The result inevitably has been that there have been excesses and brutalities on the side of the people also, for which the Congress cannot justly absolve itself of all responsibility. On the whole, however, the masses have been able to acquit themselves admirably, and under the inspiring example of the Satyagrahis, and the sweetening and ennobling lead of the lady workers and volunteers, have set an object lesson of sacrifice and suffering, which the world, torn by jealousies and strifes, will do well to take seriously to heart. The violent measures—firing, beating, and so forth—resorted to in some cases by the authorities, had their immediate repercussions on the masses of men, and these, as we saw before, had distant but determined repercussions on the springs of action of the party of violence. And the process went on in a vicious circle.

### XXXIII. RESPONSIBILITY FOR THE DEVELOPMENTS

Though there was, in this way, an element of inevitableness in the developments of the Indian situation, both the contending parties should have tried to exercise a more vigilant and effective control over their forces than they actually did. And the Government, as the better organised and more compact body, should have set an example in this. Instead, they were bent upon setting an example in firmness. They should not have allowed themselves to forget that their policy and action should never be such as to block the avenues of future rapprochement and understanding with the people. Parties may shake hands after a clean and determined fight. But unclean blood on either party's hands, like that on the hands of Lady Macbeth, will not be easily washed by torrents of mutual compliments flowing afterwards.

The Government were fighting that they might live to govern, and Congress was fighting that the nation might live to be free. The Government claimed that they were fighting that the respect for law and authority upon which the peace and progress of society are founded, might be left unshaken and unimpaired. From this point of view, the Congress Movement was not only anti-Government, but it was a movement sapping the very foundations of law and order. But was it really so? Could any one be so unimaginative as not to see from the other point of view also? Did not the Congress attempt only to transfer the allegiance of the people from the law and order made by a Bureaucracy not responsible to them, to an organisation which claimed to be elected by them and to be responsible to them? Was this not an attempt to set up a parallel government in India? Of course, the British Government can never be expected to look on with equanimity while this

process tending to supplant its own authority goes on. But it can hardly be a sensible position to say, as the British Premier once said, that the movement is moving by the driving power of lawlessness. Law and order are a contradiction in terms except under a constitution shaped and supported by the will of the people. When America, South Africa, Ireland, or any other subject country was up against foreign domination, it was not found that its spirit was cooled down by the logic of "law and order". The Indian Government instituted a rule by Ordinances not in order to quell communal disorders, nor in order to throw back foreign aggression, but in order to cope with a popular uprising against itself. Which means that it asserted its will to oppose the will of the most articulate and organised body in India, its own law and order against the law and order of the Congress Working Committee. Whether its will more truly represents the unexpressed wishes of the countless millions of India than the will of the Congress Working Committee, is a question that can, at least, be debated, if it does not straightaway admit of one answer only. It is true, as the Secretary of State for India said, that the vast majority of the people in India were pursuing their normal avocations during this movement, undisturbed by the vicissitudes of political warfare. But that need not show that their sympathies were with the Government and not with the Congress. And as a matter of fact, considerable sections of them were directly or indirectly interested in this Swaraj Movement, and many were actually drawn into it, suffered and sacrificed for its sake. But was the Government able on its side to evoke in any degree mass sympathy and command to any extent mass cooperation outside the pale of the services? Truly said the State Secretary that the present movement had been in the nature of a bid for the support of public opinion. That side would win which should carry public opinion with it. With a view to carrying this, what the Government could do was to repress with a strong hand on one side, and make a gesture on the other side with the other hand of having found a recipe in the proposed R. T. C. for all the pain India had been smarting under.

#### XXXIV. THE R. T. C.

The Congress Working Committees had been declared unlawful bodies, and successive groups of members had been shut up in the jails. The clouds had gathered and shadows had deepened over India, and lightnings not only flashed and brightened, but leapt and struck and set ablaze several positions. There were truly inspiring deeds of heroism which cheered all, and also bloody deeds of violence and terrorism which startled all. The part played by the womanhood of India conferred on this Movement all the hallowed dignity of a National Worship, and all the fascinating grace of a National Festivity. The worship was the worship of *Bharatbhumi* as our Common Mother, and the festivity was the festivity of the Nation's Sacrifice and Self-expatriation. The Government, armed with very drastic powers, was of course very much alive too and kicking, though the inner councils seemed to be fully aware of the gravity of the Indian situation, particularly as worked up by a very successful pursuit of the Boycott programme, and a partially successful but mightily threatening No-Tax campaign. It was probably

this growing consciousness of the great actualities and greater possibilities of the Movement in the mind of the Government, which made the way easy for the famous abortive peace parleys in the Yervada Jail. The Viceroy made the way easy for M. R. Jayakar and Tej Bahadur Sapru to open and conduct the parleys with the incarcerated leaders headed by Gandhiji. The negotiation was a long-drawn affair, for which Motilal, Jawaharlal and Mahmud had to be moved into the Yervada Jail to meet Gandhiji and others and confer with them, and with the mediators. The time was not yet, and the negotiation failed. Both sides had "tasted the blood", and were still eager for more. In spite of the expressed solicitude for peace on both sides, there possibly lay in the background of either party's subconsciousness a shrewd suspicion, if not a conviction, that settlement was not to be reached except by a fight to a finish or something coming perilously close to that. Neither party had yet discharged its big guns, and neither felt or admitted that its citadel had been stormed or ran the risk of being stormed soon. Naturally, the terms offered by the Congress leaders struck the Head of the Government as being "impossible". Besides the minor clauses demanding release of non-violent prisoners, restitution of confiscated property, right to manufacture salt, and so on, the terms of the Congress leaders related, in their main clauses, to the imperative need of England recognising immediately India as a Dominion with the right to sever her connection with the Empire, with an effective control over the army and fiscal policy and services, and with the right, not indeed to repudiate her Debts, but to have them examined by an impartial tribunal. This fundamental demand being conceded, the Congress was prepared to agree to certain necessary adjustments for a speedy and easy transference of power from British hands to Indian. The movement was, of course, to be called off also. The Viceroy's formula which said that India would be entrusted with the management of her own affairs subject to the condition of her not interfering, during a period of transition, with the due discharge by the British of their inevadable responsibilities in India, was not considered by the leaders as coming up to the mark. In the first place, it did not propose to admit India to Dominion Status now: India was not conceded equal partnership forthwith. In the second place, it did not make it clear that, during the period of transition, it should primarily be the voice of India and not that of England, that was to decide what responsibilities, foreign or domestic, civil or military, India was fit and ready to shoulder. The Declaration of British policy during the stewardship of the late Mr. Montagu had plainly made the British Parliament the sole judge of India's fitness for assuming responsibility. The Viceroy's formula did not say so openly, but the language was certainly suspicious, and one might take it to mean that it was England and not India which was to decide what responsibilities the latter was not prepared to assume during the period of transition, and what should, therefore, continue to be discharged by the British. In the third place, it left the all-important question of the period of transition and its stages doubtful. A more liberal construction might perhaps have been placed on the Viceroy's formula, if there had been any indication that the heart and orientation of Whitehall or Simla had undergone any change. But there had been or appeared to have been none. In Bombay and elsewhere,

the mailed fist and the big stick were too glaringly in evidence even during the progress of the peace parleys to make one think that the Steel Frame was going to change either its material or its temper—either its creed or its policy. The Viceroy's formula did not commend itself to the Congress leaders, who rightly insisted on the position being more elucidated. Some British publicists pretended to think that between the Viceroy's formula and that of Motilal Nehru, the difference was like that between tweedledam and tweedledee. But an unbiassed reader, on reading the correspondence released in this connection, will not think that the Congress wilfully lost in a critical moment a chance of subserving the best interest of the country, and the country lost a golden opportunity of having a high and big lift given to it. The clouds of distrust thickened after the breakdown of the negotiation, and the storm of repression gathered strength. The Movement waxed stronger also, in spite of the weekly reports of the Government to the contrary. The Government brought out its nomination list of the R. T. C. members, and they left the shores of India, and were seen off with black flags and curses. Undimmed in their own eyes, these valiant knights went to London and met in Conference to experience both the supreme thrill and the supreme satisfaction of their lives—rubbing shoulders with august British statesmen, and championing the forlorn and forsaken cause of India. A figure like Dr. Moonji (Col. Moonji of the Assembly) might think that he was there as nobody's representative, and that it was no business of his to deliver the goods, but they all thought that they were going to bring to India British-cum-Indian made goods for inspection by the Congress people. The plenary session of the Conference, however, aired some very burning sentiments, and sunned some very bemoaning grievances. Nobody knew what was happening behind the purda, and few cared.

#### XXXIV. HOW INDIA FORGED AHEAD: THE PARTING OF WAYS

Meanwhile, India was forging ahead. Among the Britishers, there are many who would fain perpetuate the old order of autocracy, or as they say, benevolent despotism. But it is as clear as day that the old order is bound already for a country from whose bourne no traveller returns. It is time they woke up to this, out here or at home. Die-hardism is not necessarily Live-longism, and is not the acme of wisdom. There are, again, some among them who would seem to know that they cannot long defer making concessions, but they are determined to see to it that their concessions to India are rendered innocuous by safeguards and reservations which, they proclaim to the world, are the *sine qua non* for the due discharge of their high imperial responsibilities. But India will not be satisfied with concessions, and certainly not participate in a transaction which reserves the substance of power and independence for the Britisher, and releases only the shadow for the benefit or edification of India. Mahatmaji's Eleven Points, which the Congress has subsequently amplified into Twenty (defining the fundamental rights of the people under the new constitution), give us a touchstone for telling true gold from base alloy. India to-day has developed her national X-ray vision which will penetrate into all crusts of diplomatic device, and will discover the real contents of any casket that may be presented to her—whether it contains pearls or only

coloured glass balls. Lastly, there are a few—perhaps a microscopic few—among the Britisher who sigh for an era dawning immediately that shall see justice, full justice and nothing but justice done to India. These men are the true friends of Men. They do not grow as blackberries, but are to be met in every clime that God has not forsaken. British policy in India to-day is being shaped by many influences, of which the influence of these friends hardly yet counts. Greed rather than Justice still leads the orchestra of human impulses of action practically all over the world. And Greed knows but one servant and one master— Fear.

### XXXV. THE INDIAN COMPLEX AND ITS TREATMENT : INDIA'S X-RAY VISION

The Indian complex also does not admit of a simple treatment. India is out to win Swaraj, inspite of the fact that there are communal differences, which, she thinks, have been accentuated by the anomaly of her present existence, and which will rise and melt, even as mists do, when at last, the sun of her Swaraj shines. She will find a way to untie her gordian knots, and it is confidently hoped that, civil war need not be resorted to, in order to cut those knots. If fight there be at all, let us hope it will be of the non-violent kind, which has proved its metal in the present struggle against British domination. The bogey of Defence need not also cow down her spirit and enthusiasm for being the mistress of her own house. As regards England or any other country, she need not think of severing any ties of honourable fellowship and helpful co-operation. If the East has been able to manage her affairs in Japan, in China, in Turkey and in Persia, there is no reason why she must fail to manage them in India except in leading strings. And in capacity and achievement, is not India at least the equal of any other country, in East or in West? She has shewn the capacity for being in bondage and yet being very much alive. She must now prove her capacity for living the life of her own out of the bondage. For, the danger is that a politically and economically free India may prove a spiritually dead India. Her X-ray vision should not only shew the coloured glass balls in the casket of pearls presented to her, but also the priceless gems in the caskets of her own ancient heritage, which she has so long put aside, without coming to examine, as boxes full of trash, in her lumber rooms. The Communist ideal, for instance, of a classless Brotherhood of men, will be sure to attract her soul with increasing fascination, and her culture should not fail to shew to her its intrinsic beauty and goodness. But her own Genius, her own *Sadhana* must not be allowed to be lulled into sleep by its fascination. Her Genius being awake, it is quite possible that India will make the world's transition to the New Order a sweeter and surer process. There may be other and deadlier opiates than religion. As Rabindranath has beautifully said it—we are between the devil in the shape of an active volcano on the shore and the deep sea. We to-day may be flinging ourselves into the sea, fearing to be caught in the running streams of molten fire. But the sea may refuse to be man's safe abode. Its immensity may appal us, and its depths and rollings may seek to confound and drown us. Then we must make for the shore, a more habi-

table shore. But our most pious wishes shall not avail, if we find ourselves exhausted in mid-ocean. Should we not explore the shore with greater care and greater wisdom before we make up our mind to hurl ourselves from the cliff? Why not explore the background of the unlimited strength and vitality of India's true culture and civilisation? Why need we turn our back to it when taking the fatal plunge? The womanhood of India and the masses, whose idealism and selfless service have been the main citadel of that noble background, must not allow themselves to be lightly swept off their feet in the present hurricane of thoughtlessness and impatience. They, too, have "tasted blood", the wine of new life. Let it bring cheer to where so much has been cheerless. Let it infuse vigour into the nerves that have been weak or palsied. But let it not make us forget that we are the children of *Amrita*, and having tasted *Amrita*, we shall be *Amrita* ourselves—*Amrita Abhuma*. As in old times, so now, the seething mass of Humanity is being churned. In India to-day, the Congress is the churning pole. It is being worked by the Devas and the Asuras—powers that make for *Amrita* or deathlessness and powers that make for death. The Goddess of India's Destiny has been rising with a cup of nectar in one hand and a cup of poison in the other. We would fain drink the cup of nectar alone. But the cup of poison cannot be thrown away. It must be drunk too. It is the problem of Modernism in so far it is an Evil. It must be faced and gripped. There is no shirking, no escaping. And who will drink the cup of poison, and yet not allow it to poison the very roots of India's being? It must be *Shiva*—the Principle of Good in us and none other. The cup is bitter and burning, and yet it has the almost irresistible fascination of a spell. We must beware, lest we should drink it to the dregs in a mood of mere bravado or abandon.

(Specially contributed by Prof. Pramathanath Mukhopadhyaya, late Editor, the "Servant", Calcutta.)

# **The Civil Disobedience Movement**

## **Sapru—Jayakar Peace Negotiations**

On the 5th September 1930 Sir Tej Bahadur Sapru and Mr. Jayakar issued the following statement embodying the correspondence that passed between them and the Congress leaders in jail in the course of the last two months :—

The facts connected with the efforts which we have been making for over two months for the restoration of peaceful conditions in the country are as follows :

(1) On the 20th June 1930 Pandit Motilal Nehru gave an interview to Mr. George Slocombe, Special Correspondent of "The Daily Herald" (London) with regard to his views about attending the Round Table Conference. This interview has already appeared in India.

(2) Shortly thereafter Mr. Slocombe had a conversation with Pandit Motilal Nehru in Bombay as the result of which certain terms were drafted by Mr. Slocombe and submitted to Pandit Motilal Nehru and approved by him at a meeting in Bombay at which Pandit Motilal Nehru, Mr. Jayakar and Mr. Slocombe alone were present. One copy of these terms was sent to Mr. Jayakar by Mr. Slocombe as agreed upon by Pandit Motilal Nehru as the basis of his (Mr Jayakar) or any third party's approach to the Viceroy.

(3) Mr. Slocombe likewise addressed a letter to Dr. Sapru at Simla forwarding a copy of these terms. In the course of this letter Mr. Slocombe said that Pandit Motilal Nehru had agreed to our acting as intermediaries for the purpose of approaching the Viceroy on the basis of these terms. We give below the full text of this document :

### **The Basis of the Negotiations**

The statement submitted to Pandit Motilal Nehru in Bombay on June 25th, 1930, and approved as the basis of an informal approach to the Viceroy by a third party ran as follows :

If in certain circumstances the British Government and the Government of India, although unable to anticipate the recommendations that may in perfect freedom be made by the Round Table Conference or the attitude which the British Parliament may reserve for such recommendations, would nevertheless be willing to give a private assurance that they would support the demand for full responsible Government for India, subject to such mutual adjustments and terms of transfer as are required by the special needs and conditions of India and by her long association with Great Britain and as may be decided by the Round Table Conference :

Pandit Motilal Nehru would undertake to take personally such an assurance—or the indication received from a responsible third party that such an assurance would be forthcoming—to Mr. Gandhi and to Pandit Jawaharlal Nehru. If such an assurance were offered and accepted, it would render possible a general measure of conciliation which should entail the simultaneous calling off of the civil disobedience movement, the cessation of Government's present repressive policy and a generous measure of amnesty for political prisoners and would be followed by Congress participation in the Round Table Conference on terms to be mutually agreed upon.



## Letter to the Viceroy

On the basis of this document, we interviewed the Viceroy in Simla more than once in the early part of July last and explained to him the situation in the country and ultimately wrote to him the following letter :

Dear Lord Irwin,—We would beg leave to draw Your Excellency's attention to the political situation in the country which in our opinion makes it imperative that some steps should be taken without any loss of time to restore normal conditions. We are alive to the dangers of the civil disobedience movement with which neither of us have sympathised nor have been associated, but we feel in the contest between the people and the Government, which has involved the adoption of a policy of repression and consequent embitterment of popular feeling, the true and abiding interests of the country are apt to be sacrificed. We think it is our duty to our country and to Government that we should make an endeavour to ameliorate the present situation by discussing the question with some of the leaders of the movement in the hope and belief that we may be able to persuade them to help in the restoration of normal conditions.

If we have read Your Excellency's speech aright, we think while Your Excellency and your Government feel compelled to resist the civil disobedience movement, you are not less anxious to explore every possibility in finding an agreed solution of the constitutional problem. We need scarcely say that we believe that with the cessation of the movement, there will be no occasion for the continuance on the part of Government of the present policy and those emergency measures which have been passed by Government to implement that policy.

We, therefore, approach Your Excellency with a request that you may be pleased to permit us to interview Mr. Gandhi, Pandit Motilal Nehru and Pandit Jawaharlal Nehru, so that we may put our points of view before them and urge them in the interest of the country to respond to our appeal to enable the big issue of constitutional advance being solved in a calm atmosphere. We desire to make it plain that in going to them we shall be going on our own behalf and we do not profess to represent either the Government or any party in taking this step. If we fail in our attempt the responsibility will be ours.

Should Your Excellency be pleased to grant us permission to see these gentlemen in jail we shall request you to issue necessary orders to the local Governments concerned to allow us necessary facilities. We further request that if the necessary permission is granted to us we may be allowed to talk to them privately without there being any officer of Government present at our interview. We further submit that in our opinion it is desirable we should see them at the earliest possible date.

The reply to this letter may be sent to Mr. Jayakar at Hotel Cecil.

Yours Sincerely,

Tej Bahadur Sapru, M. R. Jayakar.

## The Viceroy's Reply

To the above the Viceroy made the following reply :—

Dear Mr. Jayakar—I have received your letter of 13th July. You and Sir Tej Bahadur Sapru state your desire to do all in your power to bring about the return of peaceful conditions in the country and ask for permission to approach Mr. Gandhi, Pandit Motilal Nehru and Pandit Jawaharlal Nehru with this object. I had occasion in my address to the legislature on the 9th July to define the attitude of myself and my Government both to the civil disobedience movement and to the constitutional issue. We consider the civil disobedience movement is doing unmixed harm to the cause of India and many important communities, classes and parties hold the same view. With their help, therefore, Government must continue to oppose it by all means in their power, but you rightly recognise we are not less anxious to see the achievement of the solution of the constitutional problem by agreement among all interests concerned.

It is evidently not possible for me to anticipate the proposals that will be made by the Government of India after they have had time to consider the Statutory Commission's report or by the Round Table Conference and still less the decision of Parliament, but I made it plain in my speech that it remains my earnest desire, as it is that of my Government, and I have no doubt also that of His Majesty's Government to do everything that we can in our respective spheres to assist the

people of India to obtain as large a degree of management of their own affairs as can be shown to be consistent with the making of provision for these matters in regard to which they are not at present in a position to assume responsibility. What those matters may be and what provisions may best be made for them will engage the attention of the conference, but I have never believed that with mutual confidence on both sides it should be impossible to reach an agreement. If, therefore, you believe that by the action proposed you may be able to assist in the restoration of normal conditions in the country, it would not be right for me or my Government to interpose any obstacle to your efforts, nor do I think that those who have stood side by side with my Government in steadily opposing the civil disobedience movement and whose co-operation I so much value would wish me to do so. On hearing from you I will accordingly ask the local Governments concerned to issue necessary instructions which will enable you to make your public spirited attempt in the cause of peace in India.

Yours sincerely,  
Irwin.

### Gandhiji's Note to Nehru.

With these two documents we interviewed Mr. Gandhi in Yerravada jail, Poona, on the 23rd and 24th July 1930. During the interview we explained to Mr. Gandhi the whole situation and gave him the substance of our conversation with the Viceroy. Mr. Gandhi gave us the following note and letter to be handed over to Pandits Motilal Nehru and Jawaharlal Nehru at Naini jail, Allahabad :—

(1) So far as this question is concerned my personal position is that if the Round Table Conference is restricted to a discussion of the safeguards that may be necessary in connection with full self-government during the period of transition, I should have no objection, it being understood that the question of Independence should not be ruled out if any body raised it. I should be satisfied before I could endorse the idea of the Congress attending the conference about its whole composition.

(2) If the Congress is satisfied as to the Round Table Conference, naturally civil disobedience would be called off. That is to say, disobedience of certain laws for the sake of disobedience but peaceful picketing of foreign cloth and liquor will be continued unless Government themselves can enforce prohibition of liquor and foreign cloth. But the manufacture of salt by the populace will have to be continued and the penal clauses of the Salt Act should not be enforced. There will be no raids on Government salt depots or private depots. I will agree even if this clause is not made a clause in these terms, but is accepted as an understanding in writing.

(3) (a) Simultaneously with the calling off of civil disobedience, all satyagrahi prisoners and other political prisoners convicted or under trial who have not been guilty of violence or incitement to violence should be ordered to be released.

(b) Properties confiscated under the Salt Act, the Revenue Act and the like should be restored.

(c) Fines and securities taken from the convicted satyagrahis or under the Press Act should be refunded.

(d) All officers including village officers who have resigned or who may have been dismissed during the civil disobedience movement and who desire to rejoin Government service should be restored.

N. B. The foregoing should refer also to the Non-co-operation period.

(e) The Viceregal Ordinances should be repealed.

This opinion of mine is purely provisional because I consider a prisoner has no right to pronounce any opinion upon political activities of which he cannot possibly have full grasp while he is shut out of personal contact. I therefore feel my opinion is not entitled to the weight I should claim for it if I was in touch with the movement. Mr. Jayakar and Dr. Sapru may show this to Pandit Motilal Nehru, Pandit Jawaharlal Nehru, Mr. Vallabhbhai Patel and those who are in charge of the movement. Nothing is to appear in the press. This is not to be shown to the Viceroy at this stage. Even if the foregoing terms are accepted, I should not care to attend the conference unless in the event of going out of prison I gained self-confidence which I have not at present and unless among those Indians who would be invited there were preliminary conversation and agreement as to the

minimum by which they should stand under all circumstances. I reserve to myself the liberty when occasion arises of testing every Swaraj scheme by its ability to satisfy the object underlying the eleven points mentioned in my letter to the Viceroy.

M. K. Gandhi.  
23rd July, 1930.

#### Gandhiji's Letter to Pt. Motilal

The following is Mr. Gandhi's covering letter to Pandit Motilal Nehru :—

My position is essentially awkward. Being temperamentally so built, I can not give a decisive opinion on matters happening outside the prison walls. What I have therefore given to our friends is the roughest draft of what is likely to satisfy me personally. You may not know I was disinclined to give anything to Mr. Slocombe and wanted him to discuss things with you but could not resist his appeal and let him publish the interview before seeing you. At the same time, I do not want to stand in the way of an honourable settlement if the time for it is ripe. I have grave doubt about it but after all Pandit Jawaharlal's must be the final voice. You and I can only give our advice to him. What I have said in my memorandum given to Sir Tej Bahadur Sapru and Mr. Jayakar is the utmost limit to which I can go, but Jawaharlal, for that matter also you, may consider my position to be inconsistent with the intrinsic Congress policy or the present temper of the people. I should have no hesitation in supporting any stronger position up to the letter of the Lahore resolution. You need therefore attach no weight to my memorandum unless it finds an echo in the hearts of you both. I know that neither you nor Jawahar were enamoured of the eleven points brought out in my first letter to the Viceroy. I do not know whether you still have the same opinion. My own mind is quite clear about them. They are to me the substance of Independence. I should have nothing to do with anything that would not give the nation power to give immediate effect to them. In restricting myself to the three only in the memorandum, I have not waived the other eight, but three are now brought out to deal with the Civil Disobedience. I would be no party to any truce which would undo the position at which we have arrived to-day.

Yours sincerely,  
M. K. Gandhi.  
23rd July, 1930.

Accordingly on the 27th and 28th July we saw Pandits Motilal Nehru and Jawaharlal Nehru at Naini Jail, Allahabad and after a review of the entire position in the light of the Viceroy's letter and Mr. Gandhi's note and the letter referred to above, Pandits Motilal Nehru and Jawaharlal Nehru gave us the following two documents to be taken to Mr. Gandhi at Yerravada, Poona.

#### Nehrus' Note to Gandhiji

Memorandum dated 28th July 1930 by Pandits Motilal Nehru and Jawaharlal Nehru, Central Prison, Naini, Allahabad :—

We have had a long conversation with Sir Tej Bahadur Sapru and Mr. Jayakar and they have informed us of the various events which led to their seeking interviews with Gandhiji and with us in our respective prisons in order, if possible, to terminate or suspend the present hostilities between the people of India and the British Government. We appreciate their earnest desire for peace and would gladly explore all avenues which might lead to it, provided such a peace was an honourable one for the people of India who have already sacrificed so much in the national struggle and meant freedom for our country. As representatives of the Congress we have no authority to alter in any material particular its resolutions but we might be prepared under certain circumstances to recommend variation in details provided the fundamental position taken up by the Congress was accepted. We are, however, faced with initial difficulty. Both of us are in prisons and for sometime past have been cut off from the outside world and the national movement. One of us for nearly three months was not allowed any daily newspaper, Gandhiji

has also been in prison for several months. Indeed almost all our colleagues of the original Working Committee of the Congress are in prison and the Committee itself has been declared an illegal organisation. Of the 360 members of the All-India Congress Committee which is the final authority in the National Congress organisation subject only to a full session of the Congress, probably 75 per cent are in prison. Cut off as we are from the national movement, we cannot take upon ourselves the responsibility of taking a definite step without the fullest consultation with our colleagues and especially Gandhiji. As regards the Round Table Conference we feel unlikely to achieve anything unless an agreement on all vital matters is previously arrived at. We attach great importance to such an agreement which must be definite and there must be no room for misunderstanding or misinterpretation. Sir Tej Bahadur Sapru and Mr. Jayakar have made it very clear and Lord Irwin has also stated in his published letter to them that they are acting on their own behalf and cannot commit him or his Government. It is, however, possible they may succeed in paving the way to such an agreement between the Congress and the British Government. As we are unable to suggest any definite terms for truce without consulting Gandhiji and other colleagues, we refrain from discussing the suggestions made by Sir Tej Bahadur Sapru and Mr. Jayakar and by Gandhiji in the note of his dated 23rd July which has been shown to us. We might however agree generally with Gandhiji's 2nd and 3rd points but we should like the details of these points, and specially his point (1) to discuss with him and others before we can finally make our suggestions. We suggest this note of ours be treated confidential and be shown only to such persons as see Gandhiji's note dated 23-7-30

#### Pt. Jawaharlal's Letter

Letter dated 28-7-30 from Pandit Jawaharlal Nehru, Central Prison, Naini, Allahabad to Mr. Gandhi, Yerawada Jail, Poona:—

My dear Bapuji,—It is a delight to write you again after a long interval even though it be from one prison to another. I would like to write at length, but I am afraid I cannot do so at present. I shall, therefore, confine myself to the matter in issue. Dr. Sapru and Mr. Jayakar came yesterday and had a long interview with father and me. To-day they are coming again. As they have already put us in possession of all facts and shown us your note and letter, we felt we could discuss the matter between us two and arrive at some decision even without waiting for a second interview. Of course if anything new turns up at the second interview we are prepared to vary any previously formed opinion. Our conclusions for the time being are given in the note which we are giving to Sir Tej Bahadur Sapru and Mr. Jayakar. This is more or less brief but it will, I hope, give you some idea of how our minds are working. I might add that father and I are in full agreement in regard to what our attitude should be. I might confess your point (1) regarding the constitutional issue has not won me over nor does father fancy it. I do not see how it fits in with our position or our pledges or with the realities of to-day. Father and I entirely agree with you that we can be "no parties to any truce which would undo the position at which we have arrived to-day". It is because of this that fullest consideration is essential before any final decision is arrived at. I must confess I do not see an appreciable advance yet from the other side and I greatly fear a false or weak move on our part. I am expressing myself moderately. For myself I delight in warfare. It makes me feel that I am alive. Events of the last four months in India have gladdened my heart and have made me prouder of Indian men, women and even children than I had ever been, but I realise that most people are not warlike and like peace and so I try hard to suppress myself and take a peaceful view. May I congratulate you on the new India you have created by your magic touch!

What the future will bring I know not but the past has made life worth living and our prosaic existence has developed something of epic greatness in it. Sitting here in Naini Jail I have pondered on the wonderful efficacy of non-violence as a weapon and have become a greater convert with the response of a convert to it than ever before. I hope you are not dissatisfied with the response of the country to the non-violence creed. Despite occasional lapses the country has stuck to it wonderfully, certainly far more grimly than I had expected. I am afraid I am still somewhat of a protestant regarding your eleven points. Not that I disagree with any one of them. Indeed they are important. Yet I do not think they take the place of In-

dependence. But I certainly agree with you that we should have "nothing to do with anything that would not give the nation power to give immediate effect to them." Father has been unwell the last eight days ever since he took an injection. He has grown very weak. This long interview last evening tired him out.

Jawaharlal

'Please do not be anxious about me. It is only a passing trouble and I hope to get over it in two or three days. Love.

Motilal Nehru'

P. S.—We have had another talk with Sir Tej Bahadur Sapru and Mr. Jayakar. At their desire we have made some alterations in our note, but they do not make any vital difference. Our position is quite clear and I have no doubt whatever about it. I hope you will appreciate it.

#### Gandhiji's Note

Accordingly, Mr. Jayakar alone saw Mr. Gandhi on the 31st July, 1st August and 2nd August when Mr. Gandhi dictated to him the following note :—

(1) No constitutional scheme would be acceptable to Mr. Gandhi which did not contain a clause allowing India the right to secede from the Empire at her desire and another clause which gave the right and power to India to deal satisfactorily with his eleven points.

(2) The Viceroy should be made aware of this position of Mr. Gandhi in order that the Viceroy should not consider later that these views of Mr. Gandhi had taken him by surprise when they were urged at the Round Table Conference. The Viceroy should also be made aware that Mr. Gandhi would insist at the Round Table Conference on a clause giving India the right to have examined by an independent tribunal all the British claims and concessions given to Britishers in the past.

#### Congress Leaders' Demands

After that a joint interview took place in Yerravada Jail, Poona, on the 14th and 15th August between us on the one hand and Mr. Gandhi, Pundits Motilal Nehru and Jawaharlal Nehru, Mr. Vallabhbhai Patel, Dr. Syed Mahmud, Mr. Jairamdas Daulatram and Mrs. Naidu on the other. As a result of our conversations with them on these occasions, the Congress leaders gave us a letter with permission to show it to the Viceroy. This letter is set out below :—

Dear friends,

We are deeply grateful to you for having undertaken the duty of trying to effect peaceful settlement between the British Government and the Congress. After having perused the correspondence between yourselves and His Excellency the Viceroy and having had the benefit of protracted talks with you and having discussed among ourselves, we have come to the conclusion that the time is not yet ripe for securing a settlement honourable for our country. Marvellous as has been the mass awakening during the past five months and great as has been the sufferings of the people among all grades and classes representing the different creeds, we feel that the sufferings have been neither sustained enough nor large enough for the immediate attainment of the end. Needless to mention we do not in any way share your view or the Viceroy's that civil disobedience has harmed the country or that it is ill-timed or unconstitutional. English history teems with instances of bloody revolts whose praises Englishmen have sung unstintingly and taught us to do likewise. It therefore ill-becomes the Viceroy or any intelligent Englishman to condemn a revolt that has overwhelmingly remained in execution peaceful, but we have no desire to quarrel with condemnation, whether official or unofficial, of the present civil disobedience campaign. The wonderful mass response to the movement is, we hold, a sufficient justification. What is, however, the point here is the fact that we gladly make common cause with you in wishing if it is at all possible to stop or suspend civil disobedience. It can be no pleasure to us needlessly to expose the men, women and even the children of our country to imprisonment, lathi charges and worse. You will, therefore, believe us when we assure you and through you the Viceroy that we would leave no stone unturned to explore any and every channel

for honourable peace, but we are free to confess as yet we see no such sign on the horizon. We notice no symptom of conversion of the English official world to the view that it is India's men and women who must decide what is best for India. We distrust the pious declarations of the good intentions, often well meant, of officials. The age-long exploitation by the English of the people of this ancient land has rendered them almost incapable of seeing the ruin, moral, economic and political of our country which this exploitation has brought about. They cannot persuade themselves to see, that one thing needful for them to do is to get off our backs and do some reparation for the past wrong by helping us to grow out of the dwarfing process that have gone on for a century of British domination, but we know you and some of our learned countrymen think differently. You believe a conversion has taken place at any rate sufficient to warrant participation in the proposed Conference. In spite, therefore, of the limitation we are labouring under, we would gladly co-operate with you to the extent of our ability.

The following is the utmost response it is possible for us, circumstanced as we are, to make to your friendly endeavour.

1. We feel the language used by the Viceroy in the reply given to your letter about the proposed Conference is too vague to enable us to assess its value in terms of the National Demand framed last year in Lahore nor are we in a position to say anything authoritative without reference to a properly constituted meeting of the Working Committee of the Congress and if necessary to the A. I. C. C.; but we can say that for us individually no solution will be satisfactory unless (a) it recognises in as many words the right of India to secede at will from the British Empire, (b) it gives to India complete national Government responsible to her people including the control of defence forces and economic control and covers all the eleven points raised in Gandhiji's letter to the Viceroy and (c) it gives to India the right to refer if necessary to an independent tribunal such British claims, concessions, and the like including the so-called public debt of India as may seem to the National Government to be unjust or not in the interest of the people of India.

Note: Such adjustments as may be necessitated in the interests of India during the transference of power to be determined by India's chosen representatives.

(2) If the foregoing appears to be feasible to the British Government and a satisfactory declaration is made to that effect, we should recommend to the Working Committee the advisability of calling off Civil Disobedience, that is to say disobedience of certain laws for the sake of disobedience, but peaceful picketing of foreign cloth and liquor will be continued unless Government themselves can enforce prohibition of liquor and foreign cloth. The manufacture of salt by the people will have to be continued and the penal clauses of the Salt Act should not be enforced. There will be no raids on Government or private salt depots.

(3) Simultaneously with the calling off of civil disobedience (a) all the satyagrahi prisoners and other political prisoners convicted or under trial who have not been guilty of violence or incitement to violence should be ordered to be released, (b) properties confiscated under the Salt Act, the Press Act, the Revenue Act and the like should be restored, (c) Fines and securities taken from convicted satyagrahis or under the Press Act should be refunded, (d) all the officers including village officers who have resigned or who may have been dismissed during the civil disobedience movement and who may desire to rejoin Government service should be reinstated.

Note: The foregoing sub-clauses refer also to the Non-Co-operation Period.

(e) All the Viceregal Ordinances should be repealed.

(4) The question of the composition of the proposed Conference and of the Congress being represented at it can only be decided after the foregoing preliminaries are satisfactorily settled.

Yours sincerely,—Motilal Nehru, M. K. Gandhi, Sarojini Naidu, Vallabhbhai Patel, Jairamdas Daulatram, Syed Mahmud, Jawaharlal Nehru.

#### Peace-Makers' Letter to Congressmen

We sent them the following reply from Winter Road, Malabar Hill, Bombay, on 16-8-30.

Dear friends,—We desire to express our thanks to you all for the courteous and patient hearing which you have been good enough to give us on the several occasions on which we visited you either in Poona or in Allahabad. We regret we should have caused you so much inconvenience by these prolonged conversations

## THE CIVIL DISOBEDIENCE MOVEMENT

and we are particularly sorry that Pandit Motilal Nehru should have been put to the trouble of coming down to Poona at a time when his health was so bad.

We beg formally to acknowledge receipt of the letter which you have handed us and in which you are prepared to recommend to the Congress the calling off of civil disobedience and participation in the Round Table Conference. As we have informed you, we took up this work of mediation on the basis of (1) the terms of the interview given by Pandit Motilal Nehru, then the Acting President of the Congress, to Mr. Slocombe in Bombay on 20th June 1930 and particularly (2) the terms of the statement submitted by Mr. Slocombe to Pandit Motilal Nehru in Bombay on the 25th June 1930 and approved by him (Pandit Motilal Nehru) as the basis of an informal approach to the Viceroy by us.

Mr. Slocombe forwarded both the documents to us and we thereupon approached His Excellency the Viceroy for a mission to interview Mahatma Gandhi, Pandits Motilal Nehru and Jawaharlal Nehru in order to explore the possibilities of a settlement. A copy of the second document referred to above has been taken by you from us. We now find the terms embodied in the letter you gave us on the 14th instant are such that, as agreed between us, it must be submitted to His Excellency the Viceroy for his consideration and we have to await his decision. We note your desire that material documents relating to these peace negotiations including your said letter to us should be published and we shall proceed to do this after His Excellency the Viceroy has considered your letter.

Before we conclude you will permit us to say that we had reasons to believe as we told you that with the actual calling off of the civil disobedience movement the general situation would largely improve. Non-violent political prisoners would be released, all the Ordinances with the exception of those affecting the Chittagong and the Lahore Conspiracy cases would be repealed and the Congress would get representation at the Round Table Conference larger than that of any other single political party. We need scarcely add that we emphasised also that in our opinion there was substantially no difference between the point of view adopted by Pandit Motilal Nehru in his interview and the statement sent to us by Mr. Slocombe with Pandit Matilal's approval and His Excellency the Viceroy's letter to us.

Yours sincerely,

T. B. Sapru, M. R. Jayakar.

#### Viceroy's Letter to Sir T. B. Sapru

Thereafter Mr. Jayakar alone took the letter of the Congress leaders to Simla on the 21st August and had conversations with the Viceroy. Sir Tej Bahadur Sapru joined him on the 25th. We then had several interviews with the Viceroy and some members of his Council between the 25th and 27th August. As a result of the same, the Viceroy gave us a letter to show to the Congress leaders in Allahabad and Poona. The following is the text of that letter :

Viceroy's Lodge,  
Simla, 28th August 1930.

Dear Sir Tej Bahadur,—I have to thank you for informing me of the results of the conversations held by Mr. Jayakar and yourself with the Congress leaders now in prison and for sending me copies of their joint letter of the 15th August and of your reply thereto. I should wish you and Mr. Jayakar both to know how great has been my appreciation of the spirit in which you have pursued your self-imposed public-spirited task of endeavouring to assist in the restoration of normal conditions in India. It is worth recalling the conditions under which you entered upon your undertaking. In my letter of 16th July I assured you that it was the earnest desire of myself, my Government and I had no doubt also of His Majesty's Government, to do everything we could to assist the people of India to obtain as large a degree of management of their own affairs as could be shown to be consistent with the making of provision for those matters in regard to which they were not at present in a position to assume responsibility. It would be among the functions of the Conference to examine in the light of all the material available what these matters might be and what provision might be made for them. I had previously made two other points plain in my speech to the Legislature on the 9th July. The first is that those attending the Conference would have the unfettered right of examining the whole constitutional problem in all its bearing. Secondly, that any

agreement at which the Conference was able to arrive would form the basis of the proposals which His Majesty's Government would later submit to Parliament. I fear

view both of the general tone by which that level is approached and of the country has also of its blank refusal to recognise the grave injury to which the country has been subjected by the Congress policy, not the least in the economic field, I do not think any useful purpose would be served by my attempting to deal in detail with the suggestions there made and I must frankly say I regard discussion on the basis of the proposals contained in the letter as impossible. I hope if you desire to see the Congress Leaders again you will make this plain.

There is one further comment I must make upon the last paragraph of your reply to them dated 16th August. When we discussed these matters, I said if the civil disobedience movement was in fact abandoned, I should not desire to continue the Ordinances (apart from those connected with the Lahore Conspiracy Case and Chittagong) necessitated by the situation which *ex-hypothesi* would no longer exist. But I was careful to make it plain that I was unable to give any assurance, if and when the civil disobedience movement ceases, that the local Governments would find it possible to release all persons convicted or under trial for offences in connection with the movement not involving violence, and that while I should wish to see a generous policy pursued in this matter, the utmost that I could promise would be to move all the local Governments to consider with sympathy all the cases individually on their merits.

Upon the points of your reference to the representation of the Congress at the conference in the event of their abandoning the civil disobedience movement and desiring to attend, my recollection is you explained that the demand of the Congress was not for predominant, in the sense of majority, representation at the conference and that I expressed the view that I should anticipate little difficulty in recommending to His Majesty's Government to secure that the Congress should be adequately represented. I added that if events so developed, I should be ready to receive a panel of names from the leaders of the Congress Party of those whom they would regard as suitable representatives. I feel that you and Mr. Jayakar would desire to be clearly informed of the position of myself and my Government as it may be desirable that the letters should be published at an early date in order that the public may be fully informed of the circumstances, in which your efforts have failed to produce the result you hoped and they so certainly deserved.

Yours sincerely,  
Irwin

## Notes of Conversations with Viceroy.

His Excellency the Viceroy also permitted us to mention to the Congress leaders the result of our conversations with him on certain specific points raised by us in connection with the letter of the Congress leaders. We left Simla on the 28th of August, and interviewed Pandit Motilal Nehru and Pandit Jawaharlal Nehru and Dr. Syed Mahmud at Naini Jail, Allahabad, on August 30 and 31st. We showed them the said letter of the Viceroy, and placed before them the result of our conversations. We explained to them with reference to the several points raised in their letter to us of August 15th and not covered in the Viceroy's letter of 28th August, that we had reason to believe from the conversations we had with the Viceroy that a settlement was possible on the following basis :—

(a) On the constitutional question, the position would be as stated in the four fundamental points in para 2 of the Viceroy's letter to us of 28th August.

(b) With reference to the question whether Mr. Gandhi would be allowed to raise at the Round Table Conference the question of India's right to secede from the Empire at will, the position was as follows: "As the Viceroy has stated in his said letter to us, the Conference was a free Conference. Therefore, anyone could raise any points he liked, but the Viceroy thought it would be very unwise for Mr. Gandhi to raise this question now. If, however, he faced the Government of India with such a question, the Viceroy would say the



Government were not prepared to treat it as an open question. If, in spite of this, Mr. Gandhi desired to raise the question, the Government would inform the Secretary of State of his intention to do so at the Round Table Conference.

(c) As regards the right to raise the question at the Round Table Conference of India's liability to certain financial burdens and to get them examined by an independent Tribunal, the position was that the Viceroy could not entertain any proposition amounting to total repudiation of all debts, but it would be open to anyone to raise, at the Round Table Conference, any question as to any financial liability of India and to call for its examination.

(d) As regards the granting of relief against the Salt Act, the position of the Viceroy was that (1) the Salt Tax was going to be provincialised if the recommendation of the Simon Commission in that behalf was accepted, and (2) there has been already great loss of revenue and therefore the Government would not like to forego this source but if the Legislature was persuaded to repeal the Salt Act and if any proposal was put forward to make good the loss of revenue occasioned by such repeal, the Viceroy and his Government would consider the question on its merits. It was not, however, possible for the Viceroy to condone open breaches of the Salt Act so long as it was law. When good will and peace were restored and, if Indian leaders desired to discuss with H. E. the Viceroy and his Government how best economic relief could be given to the poorer classes on his behalf, the Viceroy would be glad to call a small conference of Indian leaders.

(e) With reference to picketing, the position was that if picketing amounted to any class of people or was coupled with molestation or intimidation or the use of force, the Viceroy reserved to the Government the right of taking such action as the law allowed or taking of such legal powers as might be necessary to meet any emergency that might arise. Subject to the above, when peace was established, the Ordinance against picketing would be withdrawn.

(f) With regard to the re-employment of the officers who resigned or had been dismissed during the civil disobedience campaign, the position was that this matter was primarily a question for the discretion of local Governments. Subject, however, to there being vacancies and as long as it did not involve dismissing men who had proved loyal, the Local Government would be expected to re-employ men who had thrown up their appointments in a fit of excitement or who had been swept off their feet.

(g) As for the restoration of Printing Presses confiscated under the Press Ordinance, there would be no difficulty.

(h) As regards the restoration of fines and properties confiscated under the Revenue Law, that required closer definition. As to the properties confiscated or sold under such law, there might be the rights of third parties involved. As to refunding fines, there were difficulties. In short, all that the Viceroy could say was that the Local Government would exercise their discretion with justice and take all the circumstances into consideration and try to be as accommodating as they could.

#### **Nehrus' Final Note to Gandhiji**

We made clear to Pandit Motilal Nehru and Pandit Jawaharlal Nehru and Dr. Syed Mahmud, during their said two interviews with us, that though the time before us was limited further progress with our negotiations was possible on the lines indicated above. They, however, expressed unwillingness to accept any settlement on this basis and gave us a note for Mr. Gandhi which is as follows :—

Naini Central Prison,  
31st August, 1930.

We have had further interviews with Mr. M. R. Jayakar and Sir Tej Bahadur Sapru yesterday and to-day, and have had the advantage of long talks with them. They have given us a copy of the letter, dated August 25, addressed to them by His Excellency Lord Irwin. In this letter, it is stated clearly that Lord Irwin regards discussion on the basis of the proposals contained in our joint letter of August 15th, to Sir Tej Bahadur Sapru and Mr. Jayakar as impossible, and under the circumstances, he rightly concludes their efforts have failed to produce any result. This joint letter, as you know, was written after a full consideration by the signatories to it, and represented the utmost they were prepared to go in their individual capacities. We stated there that no solution would be satisfactory unless it

fulfilled certain vital conditions, and that a satisfactory declaration to that effect was made by the British Government. If such a declaration was made, we would be prepared to recommend to the Working Committee the advisability of calling off civil disobedience, provided simultaneously certain steps indicated in our letter were taken by the British Government in India.

"It was only after a satisfactory settlement of all these preliminaries that the question of the composition of the proposed London Conference and of the Congress being represented at it could be decided. Lord Irwin, in his letter, considers even a discussion on the basis of these proposals as impossible. Under the circumstances, there is or can be no common ground between us. Quite apart from the contents, the tone of the letter and the recent activities of the British Government in India clearly indicate that the Government has no desire for peace. The proclamation of the Working Committee as an illegal body in the Delhi Province soon after a meeting of it was announced to be held there, and the subsequent arrest of most of its members can have that meaning and no other. We have no complaint against these or other arrests or other activities of the Government, "uncivilised" and "barbarous" as we consider some of these to be. We welcome them. But, we feel, we are justified in pointing out that a desire for peace and an aggressive attack of the very body, which is capable of giving peace and with which it is sought to treat, do not go well together. The proscription of the Working Committee all over India and the attempt to prevent its meetings must necessarily mean that the National struggle must go on, whatever the consequences, and that there will be no possibility of peace, for those who may have some authority to represent the people of India will be spread out in British prisons all over India.

Lord Irwin's letter and the action taken by the British Government make it plain that the efforts of Sir Tej Bahadur Sapru and Mr. Jayakar have been in vain. Indeed, the letter and some of the explanations that had been given to us take us back, in some respects, even from the position that was previously taken. In view of the great *hiatus* that exists between our position and Lord Irwin's, it is hardly necessary to go into details, but we should like to point out to you certain aspects of his letter. The first part of the letter is practically a repetition of his speech to the Legislative Assembly and of the phrases used in his letter, dated July 16, addressed to Mr. Jayakar and Sir Tej Bahadur Sapru. As we pointed out in our joint letter, this phraseology is too vague for us to assess its value. It may be made to mean anything or nothing. In our joint letter we have made it clear that a complete National Government responsible to the people of India, including control over the Defence Forces and economic control, must be recognised as India's immediate demand. There is no question of what are usually called safeguards or any delay. Adjustments there necessarily must be for the transference of power and in regard to these we stated that they were to be determined by India's chosen representatives.

As regards India's right of secession at will from the British Empire and her right to refer British claims and concessions to an independent tribunal, all that we are told is that the Conference will be a free conference and any point can be raised there. This is no advance on the previous statement made. We are further told, however, that if the British Government in India were definitely faced with the possibility of the former question being raised, Lord Irwin would say they were not to treat it as an open question. All they could do was to inform the Secretary of State of our intention to raise the question at the Conference.

As regards the other proposition, we are told that Lord Irwin could only entertain the idea of a few individual financial transactions being subjected for scrutiny. While such scrutiny may take place in individual cases, its scope will have to extend to the whole field of British claims including, as we have stated, the so-called Public Debt of India. We consider both these questions as of vital importance and previous agreement in our joint letter seems to us essential.

Lord Irwin's reference to the release of prisoners is very restricted and unsatisfactory. He is unable to give an assurance that all of the non-violent civil disobedience prisoners even will be discharged. All he proposes to do is to leave the matter in the hands of the Local Governments. We are not prepared to trust in such a matter to the generosity or sympathy of Local Governments or local officials but apart from this, there is no reference in Lord Irwin's letter to other non-violent prisoners. There are a large number of Congressmen and others who were sent to prison for political offences prior to the Civil Disobedience Movement. We might mention in this connection the Meerut Case prisoners who have already spent a

year and a half as undertrials. We have made it clear in our joint letter and all these persons should be released.

Regarding the Bengal and the Lahore Case Ordinances we feel no exception should be made in their favour as suggested by Lord Irwin. We have not claimed release for those political prisoners who may have been guilty of violence not because we would not welcome their release but because we felt that as our movement was strictly non-violent, we would not confuse the issue. But the least we can do is to press for ordinary trial for these fellow countrymen of ours and not by an extraordinary court constituted by an Ordinance which denies them the right of appeal and the ordinary privileges of accused.

Amazing events including the brutal assaults that have occurred even in open court during the so-called trial make it imperative that the ordinary procedure should be followed. We understand that some of the accused in protest against the treatment accorded to them have been on hunger strike for a long period and are now at death's door. The Bengal Ordinance, we understand, has been replaced by an Act of the Bengal Council. We consider this Ordinance and any Act passed on it most objectionable, and the fact that an unrepresentative body like the present Bengal Council has passed it, does not make it any the better.

As regards the further picketing of foreign cloth and liquor shops, we are told, Lord Irwin is agreeable to the withdrawal of the Picketing Ordinance, but he states that if he thinks it necessary, he will take fresh legal powers to combat picketing. Thus, he informs us that he might re-enact the Ordinance or do something in Simla whenever he considers it necessary. The reply regarding the Salt Act and certain other matters referred to in our joint letter is also wholly unsatisfactory. We need not deal with it at any length here as you are an acknowledged expert on salt. We would only say we see no reason to modify our previous position as regards these matters.

Thus Lord Irwin has declined to agree to all the major propositions and many of the minor ones laid down in our joint letter. The difference in his outlook and ours is very great, indeed fundamental. We hope you will show this note to Mrs. Sarojini Naidu, Mr. Vallabhbhai Patel, Mr. Jiramdas Daulatram and in consultation with them give your reply to Mr. Javakar and Sir Tej Bahadur Sapru. We feel that the publication of the correspondence must no longer be delayed, and we are not justified in keeping the public in the dark. Even apart from the question of publication, we are requesting Sir Tej Bahadur Sapru and Mr. Jayakar to send copies of all correspondence and relevant papers to Chaudhuri Khaliq Uzzar, the Acting President of the Indian National Congress. We feel we ought to take no steps without immediate information being sent to the Working Committee which happens to be functioning.

#### Leaders' Joint Reply

We accordingly saw Mr. Gandhi and other Congress leaders at Yerwada Jail, Poona on the 3rd, 4th and 5th September, gave them the same letter, and discussed the whole question with them. As a result of such conversation they gave us the statement which is reproduced below :—

Yerwada Central Prison,  
5-9-1930.

Dear Friends.—We have very carefully gone through the letter written to you by H. E. the Viceroy dated 28-8-1930. You have kindly supplemented it with a record of your conversations with the Viceroy on points not covered by the letter. We have equally carefully gone through the Note signed by Pandit Motilal Nehru, Dr. Syed Mahmud and Pandit Jawaharlal Nehru and sent by them through you. This note embodies their considered opinion on the said letter and the conversation.

We gave two anxious nights to these papers and we had the benefit of a full and free discussion with you on all the points arising out of these papers. And as we have told you, we have all arrived at the definite conclusion that we see no meeting ground between the Government and the Indian National Congress so far as we can speak for the latter, being out of touch with the outside world. We unreservedly associate ourselves with the opinion contained in the Note sent by the distinguished prisoners in the Naini Central Prison, but these friends expect us to give in our own words our view of the position finally reached in the negotiations for

peace which you, with patriotic motives have carried on during the past two months at considerable sacrifice of your own time and no less inconvenience to yourselves. We shall therefore allude as briefly as possible to the fundamental difficulties that have stood in the way of peace being achieved.

The Viceroy's letter, dated 16-7-30 is, we have taken, intended to satisfy, so far as may be, the terms of the interview, Pandit Motilal Nehru gave to Mr. George Slocombe on June 20th, and the statement submitted to him on June 25th and approved by him. We are unable to read in the Viceroy's language in his letter of July 16th anything like satisfaction of the terms of the interview or the said statement. Here are the relevant parts of the interview and the statement :

In the interview it was stated : "If the terms of the Round Table Conference are to be left open and we are expected to go to London to argue the cases for Dominion Status, I should decline. If it was made clear, however, that the Conference would meet to frame a constitution for a Free India subject to such adjustments of our mutual relations as are required by the special needs and conditions of India and our past association, I for one would be disposed to recommend to the Congress to accept the invitation to participate in the conference. We must be masters in our household, but we are ready to agree to reasonable terms for the period of transfer of power from a British administration in India to a responsible Indian Government. The conference must be to meet British people to discuss these terms as nation to nation and on an equal footing".

The statement contained the following : "The Government would give private assurance that they would support the demand for full responsible Government for India subject to such mutual adjustments and terms of transfer as are required by the special needs and conditions of India and by her long association with Great Britain and as may be decided by the Round Table Conference."

Here is the relevant part of the Viceroy's letter. "It remains my earnest desire as it is that of my Government—and I have no doubt also that of His Majesty's Government—to do everything we can in our respective sphere to assist the people of India to obtain as large a degree of management of their own affairs as can be shown to be consistent with making provision for those matters in regard to which they are not at present in a position to assume responsibility. What those matters may be, and what provisions may best be made for them will engage the attention of the conference, but I have never believed that, with mutual confidence on both sides, it should be impossible to reach an agreement."

We feel that there is a vast difference between the two positions. Where Pandit Motilalji visualises a Free India enjoying a status different in kind from the present as a result of the deliberations of the proposed Round Table Conference, the Viceroy's letter merely commits him and his Government and the British Cabinet to an earnest desire to assist India to obtain as large a degree of the management of their own affairs as can be shown to be consistent with making provision for those matters in regard to which they are not at present in a position to assume responsibility. In other words, the prospect held out by the Viceroy's letter is one of getting, at the most, something more along the lines of reforms commencing with those known to us as the Laundowne Reforms. As we had the fear that our interpretation was correct in our letter of 15th August, 1930 signed also by Pandit Motilal Nehru, Dr. Syed Mahmud and Pandit Jawaharlal Nehru, we put our position negatively and said what would not in our opinion satisfy the Congress. The letter you have now brought from H. E. the Viceroy reiterates the original position taken up by him in his first letter, and we are grieved to say, contemptuously dismisses our letter as unworthy of consideration and regards discussion on the basis of the proposal contained in the letter as impossible.

You have thrown further light on the question by telling us that if Mr. Gandhi definitely faced the Government of India with such a question, i.e., the right of secession from the Empire at India's will, the Viceroy would say, they were not prepared to treat it as an open question. We, on the other hand, regard the question as the central point in any constitution that India is to secure and one which ought not to need any argument. If India is now to attain full Responsible Government or whatever other term it is to be known by, it can be only on an absolutely voluntary basis, leaving each party to sever the partnership or association at will. If India is to remain no longer a part of the Empire but is to become an equal and free partner in the Commonwealth, she must feel the want and warmth of that association and never otherwise. You will please observe this position is clearly brought out in the interview already alluded to by us. So long, therefore, as the British Government, or the British people regard this position as impossible or untenable, the Congress must, in our opinion, continue the fight for freedom,

The attitude taken up by the Viceroy over the very mild proposal made by us regarding the Salt Tax affords a further painful insight into the Government's mentality. It is as plain as daylight to us that, from the dizzy heights of Simla, the Rulers of India are unable to understand or appreciate the difficulties of the starving millions living in the plains whose incessant toil makes Government from such a giddy height at all possible.

If the blood of innocent people was spilt during the past five months to sustain the monopoly of a gift of nature next in importance to poor people only to air and water, has not brought home to the Government the conviction of its utter immorality, no Conference of Indian leaders as suggested by the Viceroy can possibly do so. The suggestion that those who ask for the repeal of the monopoly should show a source of equivalent revenue adds insult to injury. This attitude is an indication that if Government can help it the existing crushingly expensive system shall continue to the end of time. We venture further to point out that not only does the Government here, but Governments all the world over, openly condone breaches of measures which have become unpopular but which for technical or other reasons cannot straightaway be repealed. We need not now deal with many other important matters in which too there is no adequate advance from the Viceroy to the popular position set forth by us. We hope we have brought out sufficient weighty matters in which there appears at present to be an unbridgeable gulf between the British Government and the Congress.

There need, however, be no disappointment, for the apparent failure of the Peace negotiations. The Congress is engaged in a grim struggle for Freedom. The nation has resorted to a weapon which the Rulers being unused to it will take time to understand and appreciate. We are not surprised that a few months' suffering has not converted them. The Congress desire to harm no single legitimate interest by whomsoever acquired. It has no quarrel with Englishmen as such, but it resents and will resent with all the moral strength at its command, the intolerable British domination. Non-violence being assured to the end, we are certain of the early fulfilment of the national aspiration. This, we say, in spite of the bitter and often insulting language used by the powers-that-be in regard to Civil Disobedience.

Lastly, we once more thank you for the great pains you have taken to bring about peace, but we suggest that the time has not arrived when any further peace negotiations should be carried on with those in charge of the Congress organisation. As prisoners, we labour under an obvious handicap. Our opinion is based, as it must be, on second-hand evidence and runs the risk of being faulty. It would be naturally open to those in charge of the Congress organisation to see any of us. In that case, and when the Government itself is equally desirous for peace, they should have no difficulty in having access to us.

M. K. Gandhi,  
Sarojini Naidu,  
Vallabhbhai Patel,  
Jairamdas Donlatram.

We content ourselves with publishing for the information of the public material facts and documents and in strict conformity with our duties and obligations as intermediaries, we refrain in this statement from putting our own interpretation or offering our own comments on the facts and documents set out above. We may mention that we have obtained the consent of H. E. the Viceroy, and the Congress leaders to the publication of the documents above set out.

## Congress Review of C. D. Movement

The following is an appreciation of the Civil Disobedience Movement in India issued by the All-India Congress Committee in the form of a bulletin in January 1931 :—

Pandit Jawaharlal Nehru was released from the Naini Jail after serving the term of imprisonment imposed upon him under the Salt Act, on the 11th October 1930. The citizens of Allahabad welcomed him by taking him in procession the next day to a public park where huge crowds had gathered to hear him. At this meeting he paid a deep tribute of admiration and homage to the martyrs of Peshawar and Sholapur and expressed his satisfaction at the way in which the civil disobedience movement had been carried on during his absence in all parts of the country generally and in Bombay particularly. The Ninth Commandment (Ordinance) of the Viceroy promulgated on the eve of his release was conclusive proof of the success of the movement. As Congress President he declared that the country would not refuse any demands that the brave Peshawaris made. The women of India received high praise from the President for the bravery with which they were fighting the British Government. The statements among others were made a subject for the charge of sedition brought against him and for these he was again imprisoned for a period of 29 months. An application made for a copy of judgment in his case was refused by the District Magistrate. The reason is obvious.

Pandit Jawaharlal Nehru was arrested on the 19th and convicted of sedition on the 29th October. Nearly fifteen days later, on the 14th November, fell his 41st birthday which was duly celebrated on the 16th. This day was celebrated all over the country and hundreds of thousands of men and women identified themselves with every word of what he had said.

Lord Irwin, the most God fearing man that he is said to be, was prevailed upon by his advisers to make a gift of the tenth and the eleventh Commandments to India on the eve of the New Year's day. The Press Ordinance had died a natural death and if we are to believe the statement of objects and reasons accompanying the re-issue of the Ordinances, the Indian Press had begun to preach incitement to violence. No attempt has been made to prove the charge and it is an open secret that it is false and malicious. The Anglo-Indian Press has however expressed its satisfaction on the re-issue of the Ordinances and hopes that they will be strictly enforced; as if in their last birth any leniency was shown! By Press Ordinance the Government has taken a power to confiscate any press which according to its officers offends against the provisions of 'law.' The general public, however, knows how it will be enforced. As a sample we have the case of the 'Bombay Chronicle' editor who was sentenced to imprisonment for publishing the programme of the Congress along with other news items in its paper.

These Ordinances were not the only gifts made to the country by the British Government. In Bombay, which is in the thick of the fight, numerous lathi charges were made by the police and military requisitioned to disperse the numerous peaceful meetings held by the citizens, all unarmed, at midnight. The usual plea of blocking the road could not even be raised but the unoffending and peaceful citizens were mercilessly beaten for having the courage to hold meetings in spite of the police ban. Hundreds of persons were admitted to hospital. On the preceding Sunday a similar charge was made and hundreds of heads were broken for holding the Flag Salutation. Reports of forcible dispersion of meetings and processions in many places have been received. Such are the powers that the Executive is appropriating to itself by Viceregal Ordinances. The people are determined to achieve independence and to make it impossible for any one to take such a power. In Allahabad, early in the morning of the 1st. January, the wife of the President of the Indian National Congress, Mrs. Kamala Nehru, was arrested under the Instigation Ordinance. It is said she instigated peasants not to pay rent. In Cawnpore the editor of a leading Hindi paper the 'Pratap' was arrested for the same 'offence.'

The Government communiques have been all along assuring the world that the movement was waning, there was lack of vigour and the people were paying more and more attention to the doings of the R. T. C. This is the motive of sup-

pressing Indian edited papers. But such communiques could not mislead anybody in this country except those who refuse to see. The same paper which published those communiques gave information of wholesale arrests for picketing liquor shops and foreign cloth shops and lathi charges by the police to disperse peaceful crowds miscalled unlawful assemblies. Even picnic parties in which there were any Congress men were declared unlawful assemblies and dispersed by lathi charge. To us it appears that the government these days is run in the interest of wine and cloth shop sellers and the police is not allowed to do its usual routine work; the jails are cleared of felons to make room for political prisoners; no wonder then that crime is on the increase. Respectable Congressmen have been arrested and imprisoned simply because they were found standing in places near which picketing had been carried on by others.

The civil disobedience movement is in full swing and no amount of ordinances, lathi charges or other repressive measures have been able to kill it. With the issue of each Ordinance it has been intensified in all parts of the country.

**The following reports from Provinces bear simple testimony to the determination of our people to obtain independence.**

### **Bengal.**

On the declaration of the Congress Committees as illegal bodies almost all the Congress offices were locked up by the police and papers were taken away. Twenty newspapers were required to give security under the Press Commandment of Lord Irwin and suspended publication for a time. Vernacular newspapers were smashed and for months there was no publicity given to the Civil Disobedience news. Repression was in full swing and Congressmen were imprisoned for giving shelter to Congress volunteers. Firings were resorted to at the slightest pretext. Midnapur district was specially unfortunate in this respect. In Khersai, where the police had gone to collect choukidari tax which the people had refused to pay, order to fire was given because a crowd had collected round the house where distraint was being made and one man was killed and several injured. In Chechna fire is said to have been opened on a retreating crowd and 6 persons were killed and 18 wounded. A crowd which had gathered to watch the preparation of salt was fired at at Contai in June and about 25 persons were wounded. In Khersai fire was opened on a crowd of a thousand persons which had collected to watch the arrest of a Congressman and which did not disperse when ordered to do so. Eleven persons died and many were injured as a result of this firing.

Women of Bengal took out their first procession in Calcutta on the 22nd June and since then have remained in the thick of the fight. This was on the occasion of the Shradh ceremony of Deshbandhu Das which had been banned by the ever vigilant Commissioner of Police. Male processionists were mercilessly beaten and the women who had come out of their seclusion for the first time flung themselves in front in order to save the wounded from being trampled under horses' hoofs. Many women were arrested and imprisoned for this human act. Days and months followed and the women carried on the work of picketing foreign cloth and liquor shops, many being imprisoned for this. At the end of July women took out another procession in protest of certain arrests of women made by the police. This procession was as usual banned and surrounded by the police. The women squatted in front of the police and sat there till 2 A M. singing national songs. When all persuasion to make the procession disperse failed the police in their anger charged the crowd of sight-seers and belaboured some of them. Numerous arrests of women and students were made in connection with the picketing of educational institutions. Students who were found picketing were often belaboured. Not only this but once at least it happened that the police got into a college building and belaboured the students who were sitting in class rooms not forgetting to give the lecturer his share of the beating. Picketing of foreign cloth and cigarettes and liquor was the main programme in July, August and September. Almost every town in East Bengal has had its share of repression. In Barisal alone 500 persons were injured in a lathi charge on a single day. The Bengal report estimates the arrests of Congressmen in Bengal at an average of 200 persons a day. Not content with imprisonments under the Viceroy's Commandments and the Penal Code a fresh weapon of repression was forged in the Bengal Ordinance. Between August and October it was responsible for a hundred arrests and retentions only in the Presidency jail.

In Tamluk as also in other places the police are said to have set fire to the property of the satyagrahis and their sympathisers. Reports of indecent assaults on

men and women have been received from many quarters. But Satyagraha is in full swing. Eight arrests for this were made in the middle of December.

As against police atrocities the Congressmen remained non-violent with a vengeance. One such instance will not be out of place. In a village called Gopinathpur the police mercilessly beat some volunteers. A Mohammadan boy received severe injuries. Thereupon the Mohammedans of the village became infuriated and arrested the police and after locking them up in the local school set fire to it. Two Congress volunteers broke the doors open and rescued the police from the flames at the risk of their own lives.

In spite of police terrorism the spirit of Bengal's youth is not curbed. They have succeeded in practically ousting foreign cloth. An authenticated report which has just been issued shows that only 6 million yards of cloth was imported in November 1930 as against 59 millions in November 1929. A British peer has bewailed the lot of ship-owners in England. He has admitted that nearly 350 ships are lying idle. The originator of the nine commandments himself, while at Calcutta recently, has admitted the considerable force behind the Congress movement and, strangely enough, his Government in their communiques declare it to be dead and dying. In Calcutta itself one of the lawyers could not resist the temptation of attending the unveiling ceremony by the Viceroy of the statue of Sir Ras Behari Ghose. He was successfully boycotted and made to resign the presidentship of the Association. Comilla, Cuttack, Burdwan and Barisal Congress Committees were declared unlawful; searches have recently been made in the houses of several persons and many persons have been arrested. In Comilla the secretary of the students' union was arrested in the middle of December. All papers have been taken away from Burdwan Office. In Midnapore section 144 was taken in aid to extern peaceful Congressmen from their districts. Mr. Sasmal was the recipient of such an autocratic order which even the most autocratic of the much abused Moghul Emperors would have been ashamed to issue. In Faridpur Prabhat Pheris have been banned and volunteers disobeying the order have been arrested.

The latest Government communicate says "conditions in Bengal are approximating normal", yet section 144 has been enforced almost in all important places. House searches and arrests are the order of the day in spite of the normal conditions. About 1300 persons have been locked up behind prison bars.

## United Provinces.

There has been an effective boycott of foreign cloth all over the Province. Here and there some merchants fell under the temptation of breaking up the Congress seals but readily agreed to re-seal them as soon as picketing began. Some of them paid money to the Congress at a *prayashchit* for doing an immoral act. Several hundred rupees were thus paid by the merchants at Shahjahanpur, Saharanpur, Agra, Farrukhabad, Hathras, Sitapur, and Jhansi. At Bindki, a small town in Fatehpur district, one merchant paid Rs. 101. The annual Etawa exhibition was boycotted by merchants and 104 persons were arrested in that connection. At Allahabad a Mohammadan merchant insisted on selling foreign cloths and no amount of entreaties could induce him to have the stock sealed. On this certain members of Desh Sevikas began to picket his shop. Several male volunteers had been arrested before that while picketing his shop. The police was always behind him and eight ladies were arrested. This had a very good effect on the Mohammadan merchants who had so far not agreed to seal their cloth. All shops were closed immediately after the arrest and the next day when other lady volunteers went to picket his shop he showed them that there was no foreign cloth there. At Ballia cloth picketers were sometimes beaten by Aman Sabhais or their friends. Lalimli cloth was also picketed. Sales of intoxicants have been greatly reduced on account of picketing. Hundreds of arrest have been made of the picketers everywhere. At Benares many of the picketers who had been arrested were deprived of their clothes, drenched in cold weather and let off. One day a Mohammadan beat a volunteer who had asked him not to purchase ganja. He was arrested by the police. Some people assaulted the constables and thereupon the police came in large numbers and indiscriminately beat the crowd and passers-by as also men in their houses.

No-rent campaign is being carried on vigorously. Fifty arrests in this connection have been made at Etawa. In Allahabad district a seventy year old man was beaten for refusing to pay. Other districts report some progress in this matter. Mrs.



Kamala Nehru, Pandit Venkatesh Narain Tewari, Pandit Kesho Deo Malaviya and many others were arrested in this connection. There was firing by the Police and several persons were injured in Allahabad District, two of whom were treated by the Allahabad Congress hospital for gunshot wounds.

Bad and inhuman treatment in jails has sometimes led the prisoners not to observe the degrading jail rules. For this they have been given bar fetters and sometimes their sentences have been enhanced. Flogging has been administered on trivial pretexts, for instance, writing Mahatma's *jai* on the walls. Somehow the news of floggings reached the Naini jail and Pandit Jawahar Lal, Dr. Mahmud and Pandit Govind Malaviya went on hunger strike for 72 hours. During this period Dr. Mahmud was released but he continued the fast. Pandit Madan Mohan Malaviya was prevailed upon not to go on hunger strike on account of his bad health.

Repression is in full swing. Policemen are awarded prizes for helping the authorities in putting down the movement. In Moradabad Rs. 3500 were distributed in cash. Armed policemen and sometimes military are parading villages to overawe the villagers. Sometimes volunteers are forced to apologise at the point of the gun. New jails are being created at Lucknow and other places. It is said Lucknow Jail will accommodate 6,000 prisoners.

Almost all the Congress Committees, Youth Leagues, boycott associations have been declared unlawful. In Cawnpore the police removed the tri-colour flag from the Phool-bagh and took possession of the garden. Satyagraha is being offered by Congressmen and many arrests have been made. In Allahabad the Khadi Bhandar along with other places was searched for Congress papers. In Farrukhabad the authorities are showing their might by terrorising the innocent. It is said that Police parties often go there and get hold of stray Congress sympathisers and humiliate them.

Total arrests up to the end of December were about 10,000 out of whom 475 were arrested in one week.

### Bombay Presidency.

People in Gujrat generally and Bombay particularly have been in the forefront of the battle. Men and women, old and young, boys and girls, rich and poor have all joined hands in carrying on this fight. Loss of crores of rupees has not deterred the rich, want of food has not deterred the poor, the sight of thousands of broken heads and limbs has not frightened the young, the proverbial shyness and modesty of Indian women, Muslim and Hindu, has not prevented them from joining the non-violent army of the Congress. Thousands of them have been jailed and thousands have had their heads or limbs broken and it is estimated that Bombay city alone has offered 7000 victims to be lodged in jails. There were 30,000 volunteers and 60,000 Prabhat pheris. Boycott was highly successful and lathi charges were the order of the day. There was no lack of funds. In spite of the numerous Ordinances, including what the Anglo-Indian paper the 'Pioneer' calls the Confiscatory Ordinance, the Congress was getting houses after houses to locate its office in. Nearly 60 crores worth of foreign piece-goods was locked up by the bidding of the Congress.

Bombay holds a monthly flag salutation ceremony and this being banned armed police is requisitioned to disperse the crowd. The anniversary of the declaration of independence by the Congress was celebrated on the midnight of December 31st by large unarmed crowds assembled in several places. These assemblies were dispersed by force and one man was actually killed by a gun shot wound. Large number of persons were arrested for celebrating Jawahar Day all over the Bombay Presidency. Even on 'Moti Lal Day' celebrated to offer prayers for the early recovery of Pandit Moti Lal Nehru about a hundred Prabhat Pheris were arrested at Belgaum.

In spite of all the efforts to make the volunteers violent they have showed remarkable courage in remaining non-violent. Even British and American writers have praised this remarkable spirit. Mr. Brailsford of the Independent Labour Party, who had recently come to India to study the situation, was impressed by this show of strength by the Congressmen. While telling the world that 'Congress was not well advised in carrying on this fight' he had to admit that those who could speak for the country were not the men, the so-called representatives of India in England, but the men in jails. It is a pity that there were still men available to quietly discuss the future advance the country was to get, at dinner and lunch parties, when thousands of their countrymen who were carrying on the fight were daily the subject of lathi charges.

Since the arrival of the new Commissioner of Police the lathi charges in Bombay have increased. No procession could be taken out and no meetings held unless some Congress people offered themselves to be bled by the police lathis. Flag salutations were specially galling to the authorities and more sacrifices demanded on such dates. Picketing of foreign cloth shops is a heinous offence and a volunteer was deliberately run over by a motor lorry and killed. A morning procession which accompanied his dead body was not only stopped by the police but also by the military. A few heads were broken in this connection including that of a lady coffin-bearer and a volunteer was killed outright by a police lathi. Compare this with what the Congress volunteers did when a Police Inspector either deliberately or by an accident shot down a Mamladar, his superior officer, for refusing permission to shoot down the crowd. The volunteers rendered as much help as they could on that occasion and this had to be recognised by the Government.

All Congress Committees have been declared unlawful and Congress offices have been locked up. Other such houses have sprung up and there has been no dearth of workers. Arrests and convictions of editors of the Congress bulletins have not delayed the issue of a single number.

**The History of Bardoli** is now so well known that repetition will not add to it. Mr. Brailsford who travelled extensively in that and the other Talukas has seen the inhuman treatment meted out to the peasants who have left their ancestral homes. Leaving all their belongings to the tender mercies of the officials has not absolved them from liability to be harassed. Mr. Brailsford took down the complaints of the peasants about unprovoked assaults and forwarded them to the Government officials but no enquiries seem to have been made. Tyranny is practised in open but the spirit of the brave peasants remains unbroken. These poor people are insulted, beaten, maltreated, maimed, starved, robbed by or under the nose of the guardians of law and order and then imprisoned. The following extract is taken from a long article of Mr. Brailsford:—

"And then began one of the strangest migrations in history. One after another, acting with a unanimity of which only Indians, with their tight caste-organisations are capable, these villagers packed their belongings into their bullock carts and drove them across the border into Baroda. A few even burned the rice-crop which they were too late to remove. I visited one of their camps. They have built temporary shelters with matting for walls and palm leaves on sacking for a roof. The rains are over; they will suffer no grave hardship till May. But they are crowded together with their beloved cattle, and packed in the narrow space are all their household goods, the great jars in which they store their rice, clocks and churns, chests and beds, shining pots of brass, here a plough, there a picture of the gods, and everywhere at interval, the presiding genins of this camp, a photograph of Mahatma Gandhi. I asked a big group of them why they had left their homes. The won en gave the promptest and simplest answer: "Because Mahatmaji is in prison." The men were still conscious of an economic grievance: "Farming does not pay and the tax is unjust." One or two said: "To win Swaraj" (Self-Government).

"I spent two memorable days touring the deserted villages in company with the chairman of the Congress organisation of Surat. One passed row after row of the padlocked cottages and through the bars of the windows one could see only empty rooms. The streets were silent lakes of sunlight. Nothing moved, until a monkey swung himself over a roof.

"To some of these villages, however, a few of the men returned to work in the fields, while their families and goods remained in Baroda. Some of them complained of the terrorism of the police. It was not hard to believe, for I had seen something of their ways myself. As our car was leaving one of these abandoned villages a policeman, armed with rifle and fixed bayonet, ordered us to stop; we might leave the village, he said, only with a written permit from the police. The man collapsed promptly when he saw my European clothes, and presently began babbling in broken English "me nice policeman," but it interested me particularly to discover that nowhere on his uniform did he carry a number. When I demanded a number, he assured me that every man had "a secret number." He belonged to an emergency force which is carrying for itself reputation that unpleasantly resembles that of the Black and Tans in Ireland. It can hardly have been an oversight on the part of the organisers of this force, that their uniforms show no number.

"One cannot blame a Government confronted by open, if passive, rebellion if it retaliates within the law. It has proclaimed the five "Ashrams" in the Bardoli District. It arrested my host, the Chairman of Surat, on the day after we parted.

It "attaches" the property of the Bardoli refugees, and will sell their fields to recover the tax if it can find a purchaser—a risk which leaves the peasants calm.

"All this is within the rules of the game. Terrorism is outside them, and terrorism is being used. My note-book is full of the complaints of the peasants with whom we talked on this tour. I could seldom verify their stories, but I questioned them carefully, and do not doubt their word. These notes with names and dates shall go to the superior officials. One village was haunted every night by a gang of roughs, who fired guns, wore veils, and on one occasion murdered an old peasant with an axe. When the villagers asked for protection a high police official is said to have answered: "You shall have it when you pay your tax." Most of the complaints were of unprovoked beating by the police with their formidable lathis (staves).

"One scene I managed after much questioning to reconstruct. It happened in the abandoned village of Afwa. Here some peasants who own no land had remained behind, and with them were some who had returned from Baroda to cultivate their fields. On October 21st, about 3 a.m., a car arrived with ten policemen under a certain Sub-Inspector. The police found these men sleeping in the fields, they beat them, and then demanded the tax. They were then brought before this sub-inspector, who beat some of them with his own hands and kicked others. One was still limping and the other showed a painful swelling. The heads of two brothers he knocked together. They were then taken in the lorry to the lock-up in Bardoli. There the sub-inspector threatened, with unprintable details, to 'make them useless to their wives.' That threat told and the younger brother, though not himself a land-owner, paid the tax on his father's farm. In another case a passer-by from another village was seized and beaten, and the money in his pocket picked. A receipt was given in the name of a local tax-payer, and the stranger was told to recover it from him. This sub-inspector was a person who combined ingenuity with brutality. Finding in the village another stranger, a man from Surat, he appropriated his gold ornaments, and tried to force some of the villagers to buy them, a species of summary distraint. But I might continue this narrative indefinitely, and still it would record only the morning of this officer's activity. I might have hesitated to believe these peasants had I not happened to meet this person in the flesh, and caught him out, in a ludicrous and palpable lie. By such hands, in a brief conversation, far from the heights of Simla and the serenity of Whitehall, is law and order dispensed to the silent millions."

Mr. Brailsford is not the only impartial observer who has seen the tyranny in operation. Rev. Father Elwyn of Poona accompanied by a ex-minister of Bombay Government and Mr. Thakkar made a tour of the affected area. They were told that lands and other valuable property were seized for paltry sums and lands were made over to Barias and Patanwadias who not only took away valuable crops but broke open deserted houses and seized the things they could find. Sometimes deserted houses were burnt to ashes and no one was allowed to put out the fire. They saw many such houses in several villages. The people have good reason to believe that houses are set fire to cow down the emigrants. Lands confiscated have been offered to Dubles (landless workers) on nominal rent but some of them even refused to accept the same. In places however some Pathans have been brought to take possession of the land and attempts are made to set one people against another.

The example of Bardoli is now being followed by the peasants of the district, and other places who could not brook the sight of their brethren being subjected to so much tyranny. Still the officials of the Government, either with or without the knowledge of their superior officers are thinking of using force. Empty houses sometimes catch fire and are burnt. No help is rendered by the ever vigilant police and no one else dares to extinguish it for it is the house of an outlaw. The latest instance which is reported from Nadiad is typical of what the tax collectors are doing. An application has been made to the District Magistrate that the Fozdar reached the house of a peasant named Ramdas in Salum and awakened him and asked for payment. On his refusal he was beaten till he became unconscious. No medical man could dare treat him at Nadiad and he was sent to Ahmedabad for treatment where he was bed-ridden for over 8 days. He wants the Magistrate to so manage matters that such tyranny should not be exercised in future. As for himself he claims no relief against the Fozdar or his police.

In Ahmedabad itself, after the Sardar's arrest, some cloth merchants could not resist the temptation of selling their stock. Some ladies offered satyagraha at their shops by fasting and they yielded. Ahmedabad mills have now sealed their stock of foreign yarn.

After the Picketing Ordinance has come to an end the authorities have discovered that they can punish the picketers for helping an unlawful association. Not only that. The editors of the 'Bombay Chronicle' and 'Free Press Journal' have been jailed for publishing the programme of the Congress Committee and thus helped them in their 'unlawful work'.

Some of the smaller States have begun to show their zeal in supporting the British Government. According to the 'Times of India' Rajkot is such a State in Bombay Presidency. According to that Anglo-Indian paper they "have definitely decided to purge the State of Congress agitators." Such agitators have to give security or remain in jail for three years.

## Punjab.

Amritsar was the stronghold of the movement. There were thousands of persons from all over the Punjab in jail. People are arrested and imprisoned almost daily for picketing but still picketing goes on. A veiled Mohammedan lady picketer was arrested at Ludhiana. Siapa is practised at the houses of those who would sell foreign cloth. Amritsar merchants who have sealed their cloth were threatened by the Police but it had no effect. In Lahore the authorities are so nervous that they have proscribed the picture of a non-co-operation tree. In jails numerous pin pricks have led to hunger strikes in the Punjab as elsewhere. In Montgomery one such striker Lala Lakhu Ram died after many days of fasting. He went on hunger strike as the privilege of prayers was denied to political prisoners. In Rawalpindi prisoners have been prosecuted for refusing to take bad food. Even the courts did not allow questions about the kind of food offered. In Ludhiana a Sikh prisoner became insane on account of bad treatment. In Tarn Taran ladies were not only arrested under the Police Act but one of them was roughly handled. The recent firing on the Governor in the Senate Hall has given the Police a pretext to carry on indiscriminate searches. The young man who fired the shot has surrendered and made a statement but the police seem to be in doubt and scent a conspiracy.

## Behar

Behar celebrated the Jawahar week with great enthusiasm. There was no less enthusiasm on the other side to stop it. It is estimated that over three lacs of persons took part in the meetings and 27 lacs in the processions taken out at Patna, Darbhanga, Monghyr, Saran, Gaya, Muzaffarpur, Santhal Parganas, Champaran, Bhagalpur and Shahabad. There were lathi charges by the police to break up the meetings or processions in Patna, Darbhanga, Monghyr, Saran, Muzaffarpur, Champaran and Singbhum. In Muzaffarpur only two lathi charges did not satisfy the police and they had to resort to shooting also. 981 persons were injured by lathis or hunters and three persons had gun shot wounds. One of these died in the hospital. 514 persons were arrested for taking part in these celebrations all over the Province including many prominent persons. Shrimati Vidyavati and Shrimati Sewa Devi of Lakhi Sarai, Shrimati Vinduvasini Devi of Patna, Shrimati Vidyavati Devi of Gaya were among those arrested. In all, the Jawahar day was celebrated in 235 places in the different districts, inspite of the profuse promulgation of the orders under section 144. In Samastipur subdivision there is a small bazar called Shahpur Patoria. Four days after the celebration of the Jawahar week 125 policemen under the leadership of the S. P. surrounded it and made 46 arrests and took away the property of some of those who were not found at their houses on 12 bullock carts. Similar tales from other districts have been received. Large number of women took part in the celebrations of the Jawahar week.

In spite of severe repression the work of foreign cloth boycott is being vigorously pushed. Volunteers are keeping a sharp eye on railway stations, bazars and making tours in villages. Liquor shops are being picketed. The panchayats established in Shahabad are giving a great deal of help in the boycott movement. 58 Panchayats have been established in Muzaffarpur. In other places also Panchayats have been established and are functioning.

A recent Government communique admits "intensive revival of picketing" in the province. In fact there never was any abatement in Congress activities.

Monghyr and Bhagalpur were in the forefront of the movement. Movement of non-payment of Chowkidari tax was going on in Champaran, Saran, Muzaffarpur and Monghyr districts, as also in Patna and Shahabad. Punitive police was posted in

several places. Panchayats had been established in many places in above districts and Darbhanga. Picketing of liquor shops is believed to have caused a loss of 40 lacs to Government. Ten thousand volunteers have been enrolled.

Military police and gurkhas were taken through paddy fields of Phulwaria in Motihari crushing the same. To overawe the people they made numerous arrests in adjoining villages. In Saran, the official version says, there was a clash between the police and the crowd. No member of the police party was however injured. Police is now collecting Chowkidari Tax. In Bihpur Congress volunteers were beaten and thrown in a pond before their arrests.

### C. P. Marathi & Berar

Jawahar day was celebrated in 27 places. Passages of Jawaharlal's speech were translated in Marathi and read by prominent persons. Big processions were taken out everywhere and huge meetings held. At Nagpur 30,000 people took part. Mr. Harkare read the speech which was repeated by the audience. Mr. Harkare was afterwards arrested and convicted. Mr. Baba Sahab of Chanda and Mr. Kale of Warora were similarly arrested and convicted. At Bhandara, at the time of liquor license sales, certain volunteers got into the crowd of bidders and successfully brought down the bids by 60 per cent. Excise authorities thereupon beat many of them. Seven were injured. At Wardha four ladies and 22 male volunteers were arrested for picketing liquor sales. The ladies were subsequently released. Foreign cloth dealers showed a spirit of revolt by breaking open seals put by the Congress but they were persuaded to come round.

In C. P. Marathi over 1500 persons and in Berar over 1700 persons have been sent to jail for picketing and forest satyagraha. Punitive Police has been quartered in both the Provinces in not less than 15 places at considerable cost. At Amraoti there was a lathi charge for celebrating Garhwal day. Proceedings under section 108 have been taken against Congressmen after the declaration of the Berar Congress Committee as unlawful. The work, however, is progressing satisfactorily.

### C. P. Hindi.

The Committee deny that it put up a dummy candidate for the Council election. Those who put up Sriyut Balraj being sympathisers of the Congress movement the opponents of the Congress called him a Congress candidate.

Jawahar day was celebrated all over the Province. In Jubbulpore 10,000 men including about 300 women took part in a procession which culminated in a public meeting where the extracts from the speech of Pandit Jawaharlal were to be read. The meeting was surrounded by a police cordon and as Mr. Sayad Ahmad rose to read the same he was served with a notice under the very convenient section 144. The meeting was asked to disperse on failure of which it was dispersed by a lathi charge in which 60 to 70 persons were injured, 4 or 5 of whom received serious injuries. A girl was among those who were severely hit on the head. At Mandala Mr. Amritlal was arrested but was released without being prosecuted. At Katni the National Flag was hoisted in spite of the police objection and a crowded meeting was held although the police formed a cordon round it and threatened a lathi charge. Sriyut Gutarulal, the president of the meeting, was arrested the next day and fined Rs. 100. A boy was arrested for singing national songs and fined Rs. 50. At Betul the meeting passed off smoothly but the convener was arrested.

Seth Poonamchand Ranka, the former president of the C.P. Marathi War Council, is said to have lost 40 pounds in weight. Sriyut Sayyad Ahmad has been awarded 21 months; Sriyut R.S. Meble, 8 months; Sriyut Mahadeo Prasad and Dhannalal 7 months' rigorous imprisonment for taking part in the Jawahar day celebrations. Firing was resorted to by the police at Betul and Seoni has been subjected to serious repression. Over 2000 persons are in jails.

### South India.

In Andhra almost all workers were in jail, and according to a Government communique it was apparently calm. But the campaign against Gandhi caps and National Flags continues and these are stolen by the police. Collection of money for

the Congress is an offence. A kind hearted man who gives any refreshments to Congress volunteers is in danger of being arrested. Congressmen cannot even enjoy picnic parties. In Rajahmundry a picnic party was not only dispersed but all the musical instruments and crockery in their use was broken along with the heads of some of them. In Madras numerous arrests have been made recently for picketing godowns. Section 144 has been promulgated in Mangalore, Jalarpet, Salem etc. Toddy trees have attained special sanctity in the eyes of the Madras Government. Any one found cutting the same is immediately hauled up. In Rajahmundry a rich zemindar was arrested for advocating the cutting of toddy trees.

In Kerala Salt Laws were broken in North Malabar Districts. The beginning was made at Payyanpur. On the 12th May there was a lathi charge at Calicut. This was not the last repressive measure. Salt satyagraha was suspended with the beginning of the monsoon. More lathi charges were made at Cannanore, Palghat, Tellicherry and Payyanur. Cigarettes and foreign cloth have been boycotted. Foreign cloth merchants have given pledges not to import cloth for a certain period. This period it is believed will be extended as and when necessary. In toddy shop sales the Govt. have suffered a loss of 70 per cent. Many districts have made extensive use of section 144 and this section has been called in aid for everything. Even at the expiration of the Picketing Ordinance of Lord Irwin, general notices not to picket in any shape or form have been issued. Arrests continue up to this day and almost all prominent persons have been arrested for picketing. As the Congressmen do not challenge magistrates' orders, legal or illegal, such orders are issued with impunity and those who break them are imprisoned. Ladies are taking great interest in the movement. The authorities at Calicut have discovered that Congress volunteers are public nuisance and they have convicted half a score of them in Town Nuisance Act.

In Tamil Nadu, silent work is going on and the sale of foreign cloth is diminishing. The leaders having been jailed the people are doing silent work. Police terrorism has terrified them for the time being. In Madras itself the police had recourse to lathis and guns on three occasions. In Madura the Police had recourse to lathi charge to drive away the crowd from the toddy shop where certain volunteers were arrested. Besides this they had also resorted to firing in order that people may get terrified. A dozen persons were injured and two were killed. Stoppage of toddy sales was brought about in Rajapalyam, Kambam, Teni and Gudalur. In Coimbatore there has been a complete boycott of cigarettes. The Swadeshi League is doing valuable work. 250 volunteers were arrested in picketing toddy shops in Coimbatore. The sales of licences brought one third money to Government. There were lathi charges in Udumalpet and Polachi taluqs. Section 144 has been proclaimed in almost all the districts of Tamil Nad, and it is being enforced like the Martial Law. Even then who hawk khadi have been arrested. Singing national songs is an offence and ten volunteers at Salem have been arrested. The Government thinks Congressmen to be public nuisance. Even putting on Gandhi caps was prohibited under this section. The Press Ordinance which has suppressed many Nationalist newspapers having expired, the 'Swarajya' has made its re-appearance.

## Delhi

The enthusiasm of the Chief Commissioner of Delhi to crush the Civil Disobedience movement is as great as the enthusiasm of the Congressmen to carry on the fight against heavy odds. Women of Delhi have put up a brave fight and their heroism and sacrifice has in no way been less than that of their men. The Lahore female jail is full of Delhi women of respectable families. They have decided to picket all lawyers who still use foreign cloth and have thus succeeded to bring one of them to his senses. It is hoped others will fall in the line. A Rai Sahab wine merchant has obtained great notoriety at Delhi. He alone is responsible for arrests of about four score ladies and hundred of men volunteers. He is selling wine under police protection. All the Congress bodies and their associations have been declared unlawful. Procession of flags was dispersed by the Police. In Delhi jail Mr. and Mrs. Sen Gupta had to go on hunger strike in sympathy with other prisoners whose food was uneatable and went on hunger strike on that account.

In Meerut the Municipal Board by the casting vote of the Chairman decided to remove the National Flag from the Municipal building. Some of the Commissioners walked out in protest and the people are thinking of starting Flag Satyagraha.

## Government Review of C. D. Movement

The following are weekly reviews of the general political situation in the country telegraphed by the Government of India to the Secretary of State and commencing from the 17th May 1930 :—

**The following is the appreciation of situation up to 17th May .—**

(1) The tribal situation on the North-West Frontier has been the chief interest during the week. In the Malakand Agency the Rulers of Dir and Swat have made loyal offers of assistance. The Kurram Agency is quiet, and there is no trouble on the Kohat Border. There has been some unrest in Bajaur, on the border of Peshawar district; to a small extent in the Khyber Agency; and in Waziristan. On Peshawar Border Haji of Turangzai and his son have been trying to raise lashkar, but Mohamands are generally holding aloof, and the lashkar does not exceed 500. They have received some support and encouragement from certain villages inside the Peshawar district border. Action from the air against Haji's son has had good effect. There is an Afriki lashkar of about 500 at Gaudao; but main tribe is so far unaffected. In Tochi emissaries from Bannu have succeeded in stirring up some unrest, and a lashkar attacked the British Post of Datta Khel on May 11th. On May 14th, several villages of the Madda Khel, who were concerned in the attack, were after due warning bombed from the air. The lashkar has now dispersed and the tribal leaders are reported to be negotiating for terms. A joint Jirga of Mahsuds and Shakai Wazirs was held on the 16th to decide the attitude of the tribe. The result of this important Jirga is not yet known. Wana Wazirs are quiet. Reports show that the unrest in Waziristan is due to the deliberate dissemination of false reports about the Peshawar disturbances, the Sarda Aet and the political situation in India by malcontents connected with the Congress. On the whole the tribal situation has shown signs of improvement during the past two or three days, but is still unstable. A favourable sign is that there has been no hostile movement of any tribe as a whole.

(2) In the North-West Frontier Province itself vigorous action has been taken to improve the position, and the Seditious Meetings Act is now in force in Peshawar, Bannu and Kohat. Congress Committees have been declared unlawful associations in the last two places, where the police with military support have made arrests of prominent agitators. Peshawar City is still occupied by troops, and feeling is still strong but conditions are gradually returning to normal and leading citizens are working to improve the situation. The rural areas affected are confined to a portion of the Peshawar district and a few villages near Bannu city. Movable column has operated in Charsadda Tahsil of Peshawar district with good effect against Red Shirt organisation and certain villages which had been helping the Haji of Turangzai. The Red Shirt organization has been declared an unlawful association and a certain number of prominent members have been arrested. The position in the province has definitely improved during the week. There has been practically no opposition to the action taken by the authorities, and there has been no clash between them and the people.

(3) The week has been comparatively quiet in other provinces. Bakr Id passed off without trouble except for a riot in Assam. Martial Law has been declared in Sholapur consequent on the disorders of last week and the town is under complete control. A riot occurred in Mymensingh on the 14th, as a result of a mob attempting to prevent delivery of excise liquor from a Government Depot to vendors; but the situation was quickly in hand. There are indications that the public are getting tired of hartals and the loss of business involved.

(4) Strong and persistent efforts are being made to disturb the Sikh community over the Delhi Gurdwara incident, and inflammatory propaganda is being carried on. The sober elements of the community, while regretting the occurrence of the incident, appreciate the attitude of the authorities and it is hoped that the effects of anti-Government propaganda will not be serious.

(5) Rural areas except in Gujerat continue in general to be little affected but efforts are being made to extend hostile propaganda into the villages, and the programme

of the All-India Congress Working Committee as formulated this week at Allahabad, contains a direct appeal to the rural classes, in the incitement not to pay land revenue and certain other taxes. In Gujerat, steps are being taken to inaugurate a campaign for non-payment of land revenue.

(6) Breaches of the salt law by manufacture become progressively negligible, but there has been a new development in attempted raids by bands of volunteers on salt works, particularly on Dharsana salt works in the Surat district. The members of the first raiding party at Dharsana, including leader Abbas Tayabji, were arrested, but other bands are taking its place, and the intention, as announced by the Congress, is to make Dharsana centre of an All-India Satyagraha.

(7) Deliberate dissemination of malicious and alarmist rumours continues. The absurdity of many of the rumours is to some extent defeating their purpose, and counter publicity is having some effect. Several of the newspapers, which suspended publication on the issue of the Press Ordinance, are now appearing.

(8) Minority communities in general and Muhammadans in particular have been heartened by the Viceroy's announcement of the 13 of May and the assurance that no solution of the political problem will be regarded as satisfactory which does not command the consent of important minorities and give them a sense of security. The Congress, however, is sparing no effort to mislead them by misrepresentation and by promises incapable of performance. Labour still remains unaffected.

(9) The resolutions of the Congress Working Committee recently passed at Allahabad may be summarised as follows :—

(a) All-India Satyagraha at Dharsana, and technical breaches of salt law elsewhere.

(b) Appeal to Government servants, students, lawyers, workers, peasants and others to make sacrifices for movement.

(c) Intensive boycott of foreign cloth not only in regard to future purchases but also existing stocks.

(d) Initiation of campaign for non-payment of land revenue and taxes in certain provinces and areas.

(e) Breach of forest laws.

(f) Boycott of British goods and also boycott of British banking, insurance, shipping and other institutions.

(g) Boycott of liquor shops.

It seems probable that immediate result will be increase in picketing of foreign cloth and liquor shops, and that early result will be attempt to initiate campaign for non-payment of land revenue and taxes. Programme contains little that has not been previously proposed and its significance lies not so much in scope of proposals as in declared intention to attempt to give early effect to them. It is clear Congress intend to carry on their mischievous programme regardless of all consequences. The intensive picketing of cloth and liquor shops, involving direct interference with business of traders and shopkeepers cannot fail to increase the dangers of disorder. The programme generally is calculated to arouse Anti-Government and racial feeling. Its object is to make Government impossible, and in order to achieve this end those responsible for it are prepared to sacrifice the present and future interests of the country. To prevent this Government will use their full resources.

(10) The situation still contains elements of uncertainty and instability which preclude a forecast of all possible developments; but there is no weakening of control, and in several directions there have been signs of improvement during the week.

**The following is appreciation of the situation up to 24th May :—**

1. The tribal situation on the North-West Frontier is definitely easier. In the Malakand there has been some agitation in Panjkora, and movement of small parties of Utman Khel has been reported from the direction of Bajaur; but all other tribes are quiet. The Spinakhwara Mullah, who has great influence with Utman Khel, has apparently decided to hold aloof. On the border of the Peshawar district Badshah Gul, son of the Haji of Turangzai, is still occupying his position, which was bombed at intervals during the week, and casualties are believed to have been inflicted. As the presence of hostiles on the district border and the attempts to gather lashkars have disturbing effect on the district, an ultimatum has been delivered to Halimzai Mohmands that if Haji himself does not withdraw within 24 hours action from the air will be taken against the villages where he had established himself. A reply has been received asking for extension of the time limit as the matter is still under discussion between the Halimzai Mohmands and the Haji.



Some Mohmands are reported to have joined the latter ; but the tribe as a whole is staunch. It was mentioned in last week's report that there was an Afridi lashkar of about 500 at Gandao. This is still inactive and will probably disperse. In Waziristan the action taken from the air against the Madda Khel villages in North Waziristan was immediately successful. 20 Malikis surrendered themselves as hostages, and the terms to be imposed on the tribe for the unprovoked attack on Datta Khel Post will shortly be announced. Mention was made last week of an important Jirga of tribe. This Jirga dispersed without adopting a resolution in favour of hostilities, and a subsequent Jirga convened by hostile elements of the tribes was a failure. The loyal Malikis were able to control the position. Wana Wazirs all quiet. The Khassadars are everywhere functioning well, except the Mohmit Khel.

2. The internal situation in the North-West Frontier Province also shows improvement. In Peshawar city normal life is gradually being resumed. In the district the Red Shirts organization is still active, especially in the Charsadda Tahsil ; but measures to deal with the organisation continue. The inhabitants of Kohat city have now generally resolved to abstain from further agitation, and the position is reported normal. In Bannu city the situation is less satisfactory ; but here also there has been improvement. Some Congress activity is reported from Dera Ismail Khan ; but the district is quiet. A favourable sign in the province is that recruiting for additional police necessitated by the recent events is proceeding briskly, and recruits are coming forward freely. The chief weapon of *anti*-Government agitators is now the dissemination of false reports ; but active steps are being taken to counter these. The Government of India have appointed a Committee consisting of two High Court Judges, one of whom is a Muhammadan, to enquire into the disturbances in Peshawar city on the 23rd of April and the measures taken to deal with them. The Committee will commence their enquiry at Peshawar on the 26th of May.

3. In last week's report brief mention was made of a riot at Mymensingh on the 14th of May. Further information shows that a large hostile crowd attempted to prevent the delivery of excise liquor to vendors and, when their efforts appeared likely to fail, attacked the Magistrate, the police and the excise staff with brickbats. Persuasions, warnings and charges by the police failed to secure the dispersal of the mob, which continued to make violent attacks and destroyed excise liquor valued at Rs. 3,000. Eventually the police under the orders of the Magistrate had to fire. About 40 Government servants sustained injuries, including the Additional District Magistrate, the Superintendent of Police and Additional Superintendent of Police. One Assistant Sub-Inspector of Police was stabbed, and his condition is serious. Fifty-three rioters were treated at hospital of whom one died.

During the present week there has been no serious outbreak but in several places the police have had to disperse disorderly crowds. A communal riot is reported from Dacca, but complete information has not been received. In Sholapur conditions are fast becoming normal, and it is hoped that Martial Law may shortly be discontinued.

4. The Sikh situation has not shown any considerable change during the week ; but inflammatory speeches were made at several places in the Punjab on May 18th. A non-official enquiry committee is expected to issue a report on the Sisgunj Gurdwara incident in Delhi within a few days. The mass of the Sikh community remains unaffected.

5. Persistent efforts to spread hostile propaganda in the villages continue. In the Punjab one method adopted is to send bands to tour in rural areas. Two of these have been arrested, and the activities of others are being closely watched. So far as can be judged, the rural classes have been little affected, except in Gujrat where the situation continues to give cause for anxiety.

6. The chief feature of the campaign against the salt laws has been the change of tactics in Bombay Presidency where technical breaches of the law have been largely abandoned in favour of mass action. This has been tried at three places, namely, Shiroda on the South, Wadala within a few miles from the Bombay City, and Dharsana in Gujerat. The tactics employed are for large bodies of volunteers to try to force their way by weight of numbers into the salt works and to steal salt. These tactics have definitely failed at Shiroda where raids have been abandoned. They achieved a temporary success at Wadala on the 18th of May, where owing to the pre-occupations of the police with a number of raiders, who had been arrested, a small band was able to break into the salt works and the sight of succes-

ful lawlessness encouraged a large crowd of spectators to do the same. A considerable quantity of salt stolen. Similar attempts at Wadala have continued at irregular intervals during the week, and a large number of arrests have been made. The raiders, however, have achieved no further success. The chief efforts of the Congress have been made at Dharsana, which, in accordance with the resolution of the All-India Congress Working Committee recently passed at Allahabad, is being regarded as an All-India Satyagraha. During the early part of week attempts on a comparatively small scale were made to obtain entry into the salt works, but the number of volunteers in the Congress campaign continued to increase, and on the 21st a crowd estimated at 2,600 tried to force their way in. The attempts were foiled, thanks to the skill and endurance shown by the Police, the timely arrival of troops also by the moral effect of their presence gave much needed relief to the police. On the 22nd the police cleared the Congress camp of volunteers, and the position is at present quiet, although there are reports that the attempts will shortly be renewed. The object of the Congress appears to have been to have a spectacular struggle with the police and if success were achieved to demonstrate the inability of Government to maintain its authority. Apart from particular instances of violence of which there were several, it is clear that attempts to force a passage by weight of numbers through a barbed wire fence cannot be described as non-violent.

7. The Congress continue their policy of disseminating deliberate false reports and rumours. It is part of their programme to discourage the circulation of correct news by the boycott of newspapers which have continued to appear since the Press Ordinance, and in some places most objectionable methods of picketing are being adopted in the endeavour to prevent the circulations of these newspapers. In spite of these various newspapers which had suspended publication as a protest against the Press Ordinance, have now resumed.

8. In the last week's report it was mentioned that the immediate result of the resolutions passed at the Allahabad meeting of the Congress Working Committee would be an increase in the picketing of foreign cloth and liquor shops. This anticipation has proved to be correct. Picketing in many places has become more intense, the methods more objectionable and the scope wider, but there are signs that this interference with legitimate trade is exciting resentment among those affected, and it is not impossible that it may give rise to communal trouble in the towns. Every effort is being made by the Congress by means of propaganda of all kinds and demonstrations to stimulate anti-Government and racial feeling.

9. The assurance given to minorities by His Excellency the Viceroy in his statement of 13th May continues to receive their warm approval, which is increasing in strength as they appreciate the implications of the methods of mass action as now practised by the Congress. The conviction is growing among Muhammadans that the civil disobedience movement is opposed to their interests and security. Labour is at present steady.

**The following is appreciation of the situation up to May 31st :**

1. Tribal situation remains much as before. Movements of small parties of Utam Khel continue to be reported, but up-to-date no considerable gathering has been observed near borders of Peshawar district and no overt act of hostility has occurred. Badshah Gul has now joined Haji of Turangzai near Ghalani in Gandab Valley. Air Force action has been continued at intervals against definitely located positions. Hostiles are reported to be very short of rations and several contingents have gone home. Haji has still failed to obtain any considerable accretion to his following from Mohmands, and Hatimzai and Tarakzai continue to oppose him. Afridis all quiet, though some agitation reported in Tirah. Lashkar mentioned in last week's report has effected nothing. North Waziristan. Terms have been announced to Madda Khel. Maliks detained in Miranshah Fort have asked permission to deposit fine required immediately in order that they may be released to control mal-contented. Mahsuds. Lashkar of Shabi Khel and Kikarai of Shaktu has collected to attack Garrarias of Sigai village near Ladhud who gave information leading to arrest of two Hindus suspected of carrying revolutionary propaganda to Kaniguram Jirga. Ultimatum has been issued to Shabi Khel and Kikarai to vacate their villages as Government proposes to retaliate in any way it thinks fit if Sigai is molested. Lashkar has so far committed no hostile act either against Government or against friendly village of Sigai. Attempt of Mahsud hostiles to secure support from Madda Khel Wazirs against Government has failed. Wana Wazirs all quiet.

2. Internal situation in Peshawar district has been less satisfactory during past

week. On 26th May arrest of six persons from Takkar village in Mardan Tehsil led to clash with police in which Assistant Superintendent of Police was killed. On 29th Takkar village was surrounded by police and troops and 36 arrests were effected. Fire was opened on cordon of troops by gathering from adjacent villages. Red shirts still reported very active especially in Hashtnagar tract of Charsadda Tahsil. Peshawar city is reported quiet, and conditions gradually returning to normal. Kohat all quiet. Bannu situation improved as a result of vigorous action taken against villages in neighbourhood of city. In city itself conditions gradually approaching normal. Increase of Congress activity is reported from D. I. Khan. Action has accordingly been taken under Criminal Law Amendment Act and Seditious Meetings Act. Enquiry committee consisting of two High Court judges has been at work since 26th May recording evidence as to disturbances at Peshawar on 23rd April and measures taken to deal with them.

3. In other parts of India the outstanding feature of the week has been local disorders at a number of places. (a) The most serious of these occurred at Rangoon where, in consequence of ill-feeling arising out of the claims of Burmans and Indians respectively for employment, fighting broke out between the two communities and continued with great bitterness. It is not possible at present to state the casualties with completeness but on the 30th of May it was reported that the deaths exceeded 100 and that the number of persons who have received hospital treatment was approximately 800. No ill-feeling has been shown towards the police or Europeans. On the 30th the situation appeared to be under control but the atmosphere was still very tense. In order to relieve the situation by obtaining speedy settlement of the labour dispute, Conciliation Board has been appointed under the Trades Disputes Act. (b) At Dacca a trivial quarrel between schoolboys was the cause of serious disturbances between Hindus and Muhammadans. The trouble spread to some rural areas of the district where incendiarism and looting have occurred. The latest reports show that the situation in Dacca itself is in hand and is improving elsewhere, but feeling is still high. A complete list of casualties of the damage to property have not yet been received, but these may prove to be considerable. (c) The cause of the rioting at Lucknow was the persistent attempt of the Congress to take a procession through a part of the station in which processions had not previously been allowed and were specifically forbidden on this occasion. On the 25th May a procession which attempted to defy the order of prohibition had to be forcibly dispersed by the police. On the 26th May the Congress again threatened to bring out a procession and troops were called out in aid of the civil power. As the situation appeared to be quiet, troops were allowed to return to their barracks in the evening: but it is reported that almost immediately after their departure a dangerous mob attacked the police station and attempted to burn it down. A severe struggle at close quarters between them and the police continued for some time, and the latter had to fire before the crowd dispersed. The situation was quickly brought under control; but precautionary measures have had to be taken to prevent a recurrence of disorder. (d) On the night of the 26th May a clash occurred between the police and a Muhammadan crowd in Bombay as the result of an incident in which a Sergeant of Police and a Muhammadan were concerned. The police had to fire, and the situation during the night necessitated the calling out of troops. There was some recurrence of trouble next day, but it was quickly brought under control. The troops were not called upon to fire. (e) On the 29th May disorder occurred in the Railway Workshops at Lillooh near Calcutta. The cause of the outbreak is at present uncertain. Some damage to Government property was caused by incendiarism. (f) The police had to intervene at Delhi between two parties of labourers, who had come to blows with one another. (g) Unlawful assemblies have had to be dispersed at Multan, Rawalpindi, and Jhelum in the Punjab and at Arcot and Vellore in the Madras Presidency but these affairs were not serious.

4. Of the disturbances above mentioned those at Dacca, Rangoon and Delhi did not originate in clashes between the authorities and the public, and this has to be remembered in assessing the significance of the events of the week. Nevertheless there is no doubt that the defiance of the law, which the organisers of the civil disobedience movement have sedulously propagated, is having effects beyond the scope of the movement itself and is creating a disregard for order which tends increasingly to endanger the public peace and the maintenance of friendly relations between classes and communities.

5. In the Bombay Presidency raids on salt works have been attempted on several occasions during the week, especially at Wudala near Bombay, where the efforts of

Congress volunteers have become more forceful. A considerable strain has been placed on the police in carrying out arrests and in dispersing hostile crowds; but they have successfully prevented the volunteers attaining their objective. The position has been fairly quiet at Dharsana, where last week the Congress attempted to carry out a raid on a mass scale. The dispersal of the crowds and the seizure of the volunteer camps greatly relieved the situation; but during the past day or two there have been indications that further raids on a larger scale will be attempted. There is no reason to apprehend that these will have any appreciable success. In Bombay city processions on a large scale and demonstrations have continued.

6. The situation in Gujerat remains much the same. The boycott of public servants accompanied by attempts to coerce them to resign their posts has been more pronounced in several districts and the campaign against payment of land revenue has shown signs of extending. The two ordinances promulgated by the Governor-General on the 30th of May will considerably strengthen the hands of the local authorities in dealing with these movements. The presence of troops in connection with the Dharsana raid has had a steady effect in the Surat district.

Several provinces report definite signs of Congress activities in the direction of a no-tax campaign; but outside Gujrat there have so far been few instances of actual refusal to pay on the part of the tax or revenue payers. The Unlawful Instigation Ordinance promulgated on the 30th of May is intended to strike at the movement in its early stages by bringing within the provisions of law those who instigate others to withhold the payment of public dues. It will be extended to different provinces as necessity demands.

7. The dissemination of false reports and rumours continues, but their effect appears to be rather less than a few weeks ago. The Congress programme by boycotting those newspapers, which have not suspended publication, is meeting with considerable opposition, and the Provincial Satyagraha Committee in the Punjab have been definitely warned by those likely to suffer from their activities that if attempts are made to picket newspaper offices, the Satyagraha office will be similarly picketed. The organisations for counter propaganda and the publication of correct news are increasing in number and efficiency.

8. The boycott of foreign goods shows signs of becoming more intense and the picketing of shops more widespread. On the other hand, opposition, is growing to the methods of intimidation employed, and in some places the victims are beginning to combine. The Prevention of Intimidation Ordinance will enable the authorities to give more prompt and effective protection.

9. A significant feature of the past week has been the organisation and expression of Muhammadan political aspirations. A meeting of Muhammadan leaders is shortly to be held in Allahabad; in Calcutta the Muslim community is in revolt against the Corporation whose administration they contend is conducted in favour of Hindu and Congress interests, and in the Punjab Muslim opinion is finding expression in representations to His Excellency the Viceroy and deputations to His Excellency the Governor. Generally, the community is preparing for the practical work which will follow the Report of the Statutory Commission and is determined that its claims shall not go by default. There are some indications that the Sikhs also are realising the importance to minor communities of a clear presentation of their case.

**The following is appreciation of the situation up to June 7th. :—**

1. *Tribal.—North-West Frontier Province.*—Afridi situation overshadowed everything else during past week and at one time events threatened to assume very serious complexion. Lashkar laid by Said Badshah and other prominent Mullahs was known to have formed some three weeks ago near western end of Rhajuri plain. Subsequently further concentrations with standards collected in Upper Bara and began to move slowly towards the Peshawar district border. By June 4th Lashkar had reached point about 15 miles west of Bara Fort. Reported intention was to hold Jirga with Khalil and Mohmand tribes of district with a view to combined resistance to alleged Government oppression. On night of 4th-5th June Lashkar entered Peshawar district and numerous isolated gangs—some of them numbering several hundreds—penetrated Khalil and Mohmand villages up to Cantonment boundary. Khalils and Mohmands were incited to revolt and attack Cantonment but refused. Large part of Lashkar appears thereupon to have retired westwards towards hills. Numerous gangs however remained scattered through Khalil and Mohmand

country and in gardens south of Peshawar city. Trees were felled and culverts destroyed on Peshawar—Bara Road. On morning of 5th parties retiring across Khajuri plain were bombed from the air and Royal Air Force are reported to have inflicted heavy casualties. Simultaneously movable column marched out from Peshawar to clear country between Bara and Kohat road. Drive was entirely successful and troops are reported to have inflicted severe casualties operating in very difficult terrain. Details of losses suffered by Government forces not yet available but a few casualties, as was inevitable in operations of this sort, are reported to have occurred. Careful search conducted on 6th June failed to discover any Afridi stragglers in British territory and entire Lashkar appears to have withdrawn from district.

In Malakand parties of Utman Khel from Ambahar approached Peshawar district border north-west of Tangi village in the Charsadda tahsil. Those were joined by men of Pranghar and other villages just beyond district border. Air action was therefore taken against Pranghar after issue of usual ultimatum. Utman Khel Lashkar is now reported to have taken up position in Jindai Khwar where air action has been taken against them at intervals during week. Haji of Turangzai and his son are still hovering on Mohamand border in hope of receiving support from Mohamands or of general rising in Peshawar district. Encampment has been bombed at intervals and Lashkar accompanying Haji is reported to be short of supplies. Some contingents for this reason are reported to have left and gone home. Main body of Mohamand tribe continues to hold aloof.

In Waziristan Madda Khel and Khiddar Khel Wazirs have paid in full fine inflicted on them for their unprovoked attack on Datta Khel Post. Malikhs who had surrendered themselves as hostages have therefore been released and have departed to their homes to assist in controlling tribes. As reported in last week's summary Lashkar of Shabi Khel and Kikarai Mahsuds of Shaktu had collected to attack Sigai village. Villages from which Lashkar had collected were given ultimatum and ordered to evacuate as Government proposed to retaliate if Sigai was molested. On night of 31st May Sigai village was entered and partially burnt whereupon air action was taken against the villages concerned. This was at once successful and Lashkar appears now to have dispersed. Mahsuds otherwise are reported quiet. Wana Wazirs nothing to report.

2. *Internal—Peshawar District.*—On night of June 3rd two motor lorries hired by Frontier Constabulary were ambushed while returning empty to Shabkadar Fort. Driver of one lorry was shot dead and lorry burnt. Driver of second lorry was badly wounded. As outrage occurred in Shabkadar village, Gigiani quarter of this village which was proved to have been implicated was rounded up on June 5th and arrests effected. Otherwise there have been no incidents in Peshawar.

*Peshawar City.*—Unfortunate incident occurred on the 31st of May when rifle was accidentally discharged by Lance-Corporal belonging to detachment on duty in City. No less than three persons were struck by bullet—two of them children—who were killed. Crowds immediately collected and had to be dispersed. This was done without untoward incident but later crowds reassembled and in one place attempted to snatch rifles from small detachment of troops marching through city, who were compelled to fire in self-defence. Nine people are reported to have been killed and 18 wounded.

Kohat and Bannu Districts are quiet. On May 31st Police and Constabulary supported by troops entered Dera Ismail Khan city and effected certain necessary arrests. Crowds collected and had to be dispersed by lathi charge. Later police were subjected to heavy showers of bricks from which shots were also fired. Attacks were stopped by police firing about 50 rounds of buck shot at house tops. One rioter on roof is reported to have received flesh wound. Troops and police remained in occupation of disaffected quarters of city till June 5th when pickets were withdrawn and all is now reported quiet.

3. Mention was made last week of the communal riots at Rangoon and Dacca. At the former place the trouble subsided quicker than had been feared, and with

the week has been free from serious disturbances. A communal fight occurred in the Muttra district due to the boycott of Muhammadan carters by Hindus, and Bengal has reported an attack on the police in a village in the Midnapore district, which necessitated firing. The comparative quiet is probably due more to

the absence of incidents leading to clashes between the authorities and the people than to any appreciable change of feeling in the towns, although reports received from several provinces and, in particular, from the Punjab indicate a slight fall in Congress activity and enthusiasm. There is reason to believe that the arrest of leaders is beginning to have some effect in certain provinces; but it cannot be assumed at present that the movement has reached its crest.

4. There have been several raids during the week on the salt work at Dharsana in Gujerat; but the authorities have had little difficulty in dealing with them. The organization of the raids has been half-hearted and the enthusiasm of the volunteers had been markedly less than on previous occasions. This week's proceedings attracted very few spectators, and generally there has been a very poor response to the invitation of the Congress to regard Dharsana as an All-India Satyagraha. The failure is reported to have caused considerable despondency. On the other hand, the raids have been used for the most unscrupulous propaganda, and every effort has been made to make capital out of the alleged brutalities of the police. In some cases volunteers who have received very slight injuries have been taken on stretchers in procession in neighbouring towns and no opportunities have been lost to vilify the police and to advertise the alleged excesses of the authorities. A minimum of force has in fact been used, and the police have behaved with restraint.

The weekly attack on the Wadala salt works near Bombay was carried out on the 1st of June and was repulsed without any great difficulty. There was, however, trouble a day or two later among prisoners at Worli, and a clash between them and the police resulted in a number of prisoners being hurt.

The monsoon will shortly bring to an end these mass raids on salt works. The organizers have achieved very little, so far as the theft of salt is concerned, but they have to some extent attained their object of rousing hostility towards Government and of encouraging public defiance of the law. In Bombay city there have been several processions during the week and vigorous attempts have been made to obtain the adherence of Muhammadans and Parsis to the movement.

5. There has been little change in the situation in Gujerat, where the boycott of public servants continues. The campaign against the payment of land revenue does not appear to have made much progress during the week. The Ordinance dealing with investigation to the non-payment of certain dues which was applied last week to the Bombay Presidency has been extended to Bengal, Bihar and Orissa, Assam, the Punjab, and the North-West Frontier Province in order to check incipient movements against the payment of Government dues. Outside Gujerat the movement has not got beyond the stage of instigation; but it may be anticipated that in several provinces vigorous efforts will be made to delude the rural population.

6. In last week's appreciation mention was made of opposition to the Congress programme of boycott of newspapers and to the methods of picketing employed on foreign cloth and other shops. This opposition tends to grow, and where, as in some places, it is accompanied by increased activities on the part of picketers the danger of disorder is enhanced. The Prevention of Intimidation Ordinance now extends to the provinces of Bombay, Bihar and Orissa, Assam and the North-West Frontier Province.

7. Political activity by Muhammadans on constitutional lines continues. Outside the Frontier Province the Muhammadans of Northern India are practically solid in their opposition to the civil disobedience movement, and many offers of service have been received from spiritual and political leaders and from large landowners. During the week His Excellency the Viceroy received a very representative deputation of Muhammadan landlords of the Punjab, who, while giving expression to their political aspirations, assured His Excellency of their determination to support Government in the task of maintaining law and order. The steadfast adherence of the bulk of Muslim community to constitutional methods is a re-assuring feature of the general situation.

**The following is the appreciation of situation up to June 14th :—**

2. *North-West Frontier Province.*—(Tribal). Whole tribal trouble has from beginning been engineered from Peshawar and other centres in British territory by means of unscrupulous misrepresentations. Thus immediately after occurrences of 23rd April emissaries carrying baskets full of blood-stained clothing (in some cases procured with assistance of local butchers) and other tokens of alleged wholesale massacre were despatched in all directions to tribal centres and homes of influential

**Mullahs.** On re-establishment of full control in Peshawar city on 4th of May this type of propaganda somewhat died down, but has later apparently to some extent revived and has been producing further crop of troubles. Latest developments are as follows :—

On 9th June hostile gang of trans-border tribesmen containing many Talib-ul-Ilms from Allai appeared on northern border of Hazara district near Oghi and attempted to enter. Their advance was prevented by Frontier Constabulary to whose assistance two companies of Garhwalis and some Pack Artillery have since been sent. Situation in that neighbourhood appears to have been stabilised. Nawab of Amb provided contingent of 400 men to assist authorities.

In Malakand Agency there have been no further developments of importance, except that Utman Khel of Shamoza, Barang and Asil valleys in small parties have crossed Swat river and assembled in upper part of Jindai Nulla on north border of Peshawar district, whence their armed parties have entered district in various directions and opened up communication with disaffected elements. Air action has been taken against them at intervals, but so far without decisive effect.

**Mohmand situation** has improved. Dissensions have broken out amongst Badshah Gul's party over his alleged misappropriation of funds believed to have been sent from Peshawar. Intensive bombing has also compelled Alingar Fakir with his following to return home, and latest news is that Badshah Gul's concentration after interview with seven selected Mohmand maliks of Peshawar district is also dispersing.

**Afridis.**—Lashkar which penetrated Peshawar district were reported all back in their homes by 8th June after sustaining losses estimated at 80 killed and about 100 to 150 wounded.

Instance of extent to which tribes are swayed by propaganda and their credulity is furnished by fact that one of main objects announced by Lashkar was revenge on Government for numerous Afridis killed on 23rd April, whereas in point of fact so far as can be ascertained only one Afridi actually lost his life that day. Customary Friday jirga at Bagh on 13th was expected to be largely attended, when discussion would turn on further action, if any, to be taken against Government. Tribal hot-heads are described as being still very bitter against Government, and elders and Maliks are unable to control them.

**Kohat border.**—Agitation amongst Jowaki Hassan Khel and Pass Afridis has been reported but has no marked effect as yet. Same applies to Orakzais.

**Waxaristan** still remains all quiet but two parties of agitators described as Congress emissaries from Bannu side numbering seven in all are reported to have entered Shaktu and thence proceeded to Maidan, where they are endeavouring to organise collection of lashkars and advocating joint jirgas with Tori Khel Wazirs for concerted action against Government.

3. **Internal.**—Disarmament of disaffected villages and arrest of seditious leaders continues in various parts of Peshawar District, but there has been no material change in the situation. That agitation is still at work is shown by continued attempts to hold seditious meetings at various centres. On the other side, Charsadda town reports holding of meeting on 10th June to prepare petition expressing loyalty to Government and condemning agitation. At Hawed near Bannu on same day dissension arose between anti-Government speakers and local Mullahs and resulted in meeting breaking up in disorder. Elsewhere nothing to report.

4. The Muharram passed off quietly, except for clashes between Hindus and Muhammadans at Vellore in the Madras Presidency and at two or three villages in the Kaira District of Gujarat. There has been a recrudescence of communal trouble at Dacca; but reports so far received do not indicate that this is serious. In the Midnapur District of Bengal serious out-breaks of disorder have occurred at four or five places during the past fortnight and have been characterised by attacks on the police by mobs of considerable size. It was necessary to send a detachment of troops and reinforcement of police to the district; but the situation appears now to be under control. It is reported that attacks on the police were directly due to instigation of Congress volunteers. On the 12th of June the Congress organization in Bombay city defied an order of the authorities forbidding a procession and this led at two places to a clash with the police.

5. There have been no raids on salt works, and it may be assumed that no more will be attempted during the monsoon. Their suspension may be followed by greater activity in other directions, especially in picketing. Further reports from several provinces confirm the facts mentioned in last week's appreciation that there has been some lull in Congress activity and enthusiasm. This is more marked in the

Punjab, in Calcutta and in some districts of Madras. On the other hand, there has been considerable activity in some areas to which the movement has recently been extended. In regard to the campaign for the non-payment of taxes, there has been no development of any importance in Gujerat : but in parts of Bengal the movement for the non-payment of the Chowkidari tax appears to be making some progress. Attempts have been made to encourage the defiance of forest laws in the south of the Bombay Presidency, and one case has been reported of the wilful destruction of forest trees. For the present, however, the chief activities of the Congress are directed to the boycott of foreign goods and liquor shops. The invitation issued by the All-India Congress Working Committee a month ago to lawyers to give up their profession and to students to desert their studies has received little response.

6. An important meeting was held at Amritsar on the 7th of June attended by representatives of the various Sikh parties, when there was a long discussion on the unfortunate incident that occurred at Delhi on the 6th of May in connection with the Sissanj Gurdwara. Sharp differences of opinion were revealed and the moderate Sikhs eventually left the meeting. The extremists have declared their intention of taking bands to Delhi with the object of demonstrating before the Police Station, from which the firing on the Gurdwara took place. It is hoped, however, that wiser counsels may prevail.

7. During the week a further meeting of the All-India Congress Working Committee was concluded at Allahabad. The resolutions included an appeal to the country publicly to defy the Press Ordinance, the Prevention of Intimidation Ordinance and the Unlawful Instigation Ordinance and, in particular, to extend the campaign for the non-payment of land revenue to certain areas, to intensify the movement for the non-payment of chowkidari tax in areas, where it has already started, and to start it in other areas. The Committee also urged the people to carry on with redoubled vigour the picketing of liquor shops and foreign cloth shops and the social boycott of Government servants. They made a strong appeal to Muhammadans to join the movement. In regard to newspapers which have continued to appear in spite of the arbitrary mandate of the Congress, the Working Committee modified their previous decision and abandoned the proposal to picket those newspapers which have defied their order. The reason given for this change of policy was that other Congress activities afforded ample scope for picketing, but the real reason was undoubtedly the determination shown by several papers of nationalist tendencies to resist what they regarded as an improper interference with their liberty of action. The proceedings of the Committee were generally characterised by a disregard of the disastrous consequences to the country of the pursuance of the civil disobedience movement and by attempts for purposes of propaganda to place on Government the responsibility for events that are directly attributable to the spirit of lawlessness which the Congress have deliberately created and fostered. There are signs in some parts of the country that, though the Congress are in no way relaxing their efforts, misgivings increase regarding their aims and methods among many who were at first inclined to view the civil disobedience movement with toleration, if not with approval. The active opposition of those who frankly disapprove of it is steadily increasing with the belief that it is doomed to failure.

Although the first volume of the report of the Statutory Commission has received an unfavourable response from the Indian press, it has stimulated the discussion of political problems, and it may be expected that the publication of the second volume will attract attention more steadily to the practical aspects of constitutional advance and the means by which it may best be achieved, in preference to concentration on the barren field of lawbreaking.

**The following is appreciation of the situation up to June 21st. :—**

N. W. F. Province. Tribal. Situation is improving, but still gives cause for anxiety. Several arrests have been effected which furnish concrete evidence of statements made last week regarding propaganda amongst tribes. Latest phase of this form of activity in Waziristan foretells appearance at early date of son of ex-King Amanullah in Mahsud country. Leading hostiles are doing their best to spread this rumour in attempt to bring about Wazir-Mahsud combination against Government.

On Peshawar district border Utman Khel lashkar has completely dispersed. This is result of air action taken after due warning on 16th-17th June against lashkar and against certain villages from which contingents came and of action by troops who on 19th June moved out to neighbourhood of Pallai village about one mile inside administrative border. Only small remnants of lashkar awaited arrival of troops.



Pallai village and caves in which lashkar had been sheltering found deserted. About 15 prisoners captured together with some rifles. Casualties inflicted on Utman Khel estimated at about 20; our troops had one man slightly wounded. Villagers have since returned to their homes and have undertaken not to admit hostile Utman Khel within their limits. Situation of this portion of district markedly better since expulsion of lashkar.

Mohmand hostiles on Shabkadr side have not yet dispersed and continue to receive re-inforcement in small numbers. Air action has been kept up against them as occasion offered.

Afridi Jirga at Bagh on June 13th was well attended by young hot-heads of tribe who refused to admit Milks and elders to jirga. It was decided in first place to ascertain real causes of previous week's failure and to leave future course of action for decision on June 20th or 27th. Results of jirga on 20th not yet known, but communication between Tirah and malcontents in Peshawar is believed to be active and hostiles busy with attempts to arrange cessation of private feuds in Tirah with a view to combined action against Government. Agitation amongst Jowakis and Hassan Khel Afridis at one time assumed threatening appearance, but steeper attitude of Pass Afridis has brought them back to reason. Orakzai tribes generally quiet but are sending representatives to Bagh Jirga.

*Internal.*—Internal situation generally better; but agitators still at work and meeting held at various centres. In Bannu some Bazan Khel Wazirs from tribal territory appeared for first time as picketers and were arrested. Efforts by some Bannuchis to hold meeting in Mohmand Khel Wazir limits (tribal territory) were unsuccessful owing to refusal of Mohmand Khel maliks and meeting had to be transferred to neighbouring Bannuchi village inside district. Gathering did not however exceed seven hundred of whom three hundred were Bakka and Jani Khel Wazirs from tribal territory. Deterioration of situation in Swabi Tehsil of Peshawar district necessitated despatch of small column to various villages and arrest without incident of selected leaders of agitation.

Charsadda situation greatly improved. Elsewhere nothing to report.

There have been no serious disturbances during the week, but information has been received of events in several districts which show that the Congress leaders are unable to control local organisations and that the trend of the movement as a whole is towards violence. Detailed reports have been received regarding the series of disorders which have taken place during the past few weeks in various parts of Midnapore district. They leave no doubt that these were organised by Congress volunteers inspired from Calcutta and that widespread attempts were made with considerable temporary and local success to pervert the countryside. The rumour current over a large area was that the British Raj had come to an end and the first manifestations of this belief were attacks on small parties of police who had visited villages in the discharge of their duties. These were instigated and organised by Congress volunteers and in several cases were of a determined and savage character. One of these attacks was accompanied by the murder of a Sub-Inspector of Police in most brutal circumstances. Other activities of volunteers include incitement to the non-payment of the Chaukidari tax. The situation in this district has been brought under control and an adequate force of additional police is being stationed in the affected areas at the cost of the inhabitants.

A similar situation, but of less serious character, threatened to develop in part of Bhagalpore district in Bihar and Orissa. The Congress volunteers set up a camp in an area notorious for its spirit of lawlessness. Regular barracks were erected where the volunteers drilled and practised lathi play. Early in the month the camp was seized by the police without difficulty, but subsequently large crowds assembled which consisted not only of sightseers but of persons armed with staves who had been collected by volunteers from the neighbouring villages. It has been necessary to disperse the crowds on several occasions, but a considerable area is disturbed and reinforcements of police had been sent there. In the same province a small party of police was attacked by some villagers belonging to aboriginal tribes.

The Bombay Government reports several organised attacks by a tribe of criminal tendencies on Muhammadans and other loyalists, including village servants in the Kaira district of Gujarat. There is said to be unmistakable evidence that this tribe is being incited by prominent adherents of the Civil Disobedience Movement in Gujarat to stir up trouble.

The above instances of trouble in rural areas must not be interpreted as indicating any serious extension of the Civil Disobedience Movement outside the towns.

They must be regarded rather as illustrating the unscrupulous methods pursued by local Congress Organisations and the consequences that are likely to result from the dissemination of false rumours and supervise propaganda among ignorant villagers. The campaign for the non-payment of taxes does not, in fact, appear to be making progress and, except in Gujerat, it has nowhere succeeded in obtaining a firm footing.

Picketing of foreign cloth and liquor shops has intensified in some places during the week. In Bombay city European shops have been picketed with the deliberate intention of defying the authorities, and arrest of picketers has been accompanied by demonstrations necessitating the dispersal of crowds on several occasions. Picketing of liquor shops in rural areas has on several occasions been accompanied by violence on the part both of the picketers and of those picketed. Bihar and Orissa reports numerous cases of riot, trespass and assault in this connection.

A marked feature of the week has been an increase of activities designed to seduce the troops and the police from their loyalty. Attempts of this kind have been carried on for some time on an organised scale, but reports from several provinces show that new methods are being adopted and that special attention is being devoted to this part of the civil disobedience programme. So far as the police are concerned, the weapon of social boycott is also being used in many places in the hope that this will compel resignations. Neither the methods of persuasion nor of compulsion have had effect.

In the Punjab the revolutionary party has put into operation a new plan. The object of which appears to have been to terrorise the police by organised outrages on a large scale. The scheme was briefly to explode a bomb in a rented house or a serai and to arrange for a second bomb to explode some time later, the interval between the two explosions being so calculated as to cover the arrival of a party of investigating police who would, in the ordinary course of their duty, proceed to the place on receipt of news of the first explosion. In the early morning of the 19th this plan was put into execution in no less than six towns of the Punjab. Fortunately it failed in four places but in the remaining two the police suffered injuries which were serious in the case of an Inspector and a constable. Previous to this there had been six or seven sporadic explosions in the Punjab during the past month or two, and there are indications that terrorist outrages are likely to increase. This was to be expected, for the comparative lull in revolutionary activity probably represented nothing more than temporary quiescence pending the results of the Civil Disobedience Movement. As the latter fails to achieve its objects, the extremists are likely to resort to methods of terrorism.

Mention has been made in the appreciation of the past few weeks of the mobilization of sane and loyal opinion against the Civil Disobedience Movement. This continues to gain strength. The Punjab Government, for instance, report that opposition to the Congress programme is increasing in vigour and effectiveness and that they have been inundated with resolutions of loyalty and assurances of help from all communities including Hindu organisations. Similar reports of loyal offer have been received from elsewhere.

**The following is appreciation of the situation up to June 28th :—**

*North-West Frontier Province.*—(a) *Tribal.*—Situation in general shows marked improvement and strong action which ended in dispersal of Utman Khel lashkar has had good effect on tribes in general. In Dir and Swat all continues normal. In other parts of Malakand Agency responsible tribal elders are beginning to resign control over unruly elements and are co-operating with Political authorities in maintenance of order. On 23rd June fourth attempt was made to persuade Haji of Turangzai by peaceful methods to withdraw his following from northern border of Peshawar District and air action was suspended. Jirga of Mohmand elders from British Territory went out to discuss matters with him, taking with them Deputy Commissioner's reply to their petition to the effect that Government was not interfering with religious affairs of Muslims and that Abdul Ghaffar Khan of Utmanzai was undergoing imprisonment because he had refused to give security. On this occasion the persuasions of the Jirga met with success: Haji's following has now completely dispersed and leaders have gone to their homes. Judging from past experience, however, of the Haji it would be unwise to assume that his activities are over. He is still in consultation with Afridis and other tribes and would no doubt readily resume hostilities if he could get sufficient following. Owing to dissension among themselves Afridi jirga at

Bagh on June 20th came to no conclusion with regard to future course of action. It is clear however that unruly hostile element is still strong. On 22nd June a gang of sixty Zakka Khel Afridis raided village of Akbarpara ten miles east of Peshawar and other gangs are known to be moving about. In Orakazi country small hostile section of Mullas is carrying on propaganda against Government but efforts have not so far met with any real measure of success. Some agitation is for the first time beginning to make itself felt on Kurram border. In Waziristan as a result of air action taken against village of Sultana lashkars which hostiles were endeavouring to assemble have broken up and leading hostiles have left Mashud country.

*Internal.*—(b) Internal situation is greatly improved and respect for law and order is gradually being restored throughout Peshawar district. Small military column touring in Swabi Tashil had friendly reception from many villages previously disaffected. Troops have been withdrawn from most villages in Charsadda area and inhabitants are co-operating in restoration of order.

2. The situation in other parts of India shows no great change. In Bombay city the police on several occasions have had to disperse very large processions or demonstrations which have been attempted in deliberate defiance of orders under the law, and this has given rise to considerable bitterness. In Surat there have been attempts to picket the local College and to prevent students from rejoining after the vacation. More dacoities have been reported from the Kaira District in Gujarat, where the Civil Disobedience Movement has encouraged a spirit of lawlessness among those of criminal proclivities. In Madras there has been a small clash in a rural district between a mob and the police, and Congress activities are reported to be vigorous in certain districts. The local Government have declared certain organisations as unlawful associations. Elsewhere in the province the situation appears to have improved. There have been a little trouble in one or two villages in the Punjab, but prompt preventive action has been taken. In this province also the local Government have declared as unlawful associations a number of Congress and revolutionary bodies.

3. In last week's appreciation mention was made of activities designed to seduce troops and police from their loyalty. These continue to be prosecuted with vigour and it appears that they are now given a very prominent place in the Congress programme. Another form, which this movement takes, is the holding of meetings and demonstrations in sympathy with, and praise of, the men of the Garhwali Regiment who were found guilty of mutiny. In some provinces propaganda in rural areas is also on the increase, but the results so far have not been serious, and except in Gujarat, no difficulty has been experienced in the collection of land revenue.

4. The second volume of the Statutory Commissioner's Report has had an unfavourable reception from practically all Indian quarters. The proposals are generally condemned as inadequate; but the criticism of particular items varies considerably according to the community to which the critics belong. The Report will direct increasing attention to the practical aspects of the Indian problem.

**The following is appreciation of the situation up to 5th. July :—**

*North-West Frontier Province.*—Tribal. Alingar Fakir and other malcontents are trying to stir up trouble again amongst Utman Khel; but those sections of tribe which suffered from recent air action have so far refused to give passage to malcontents or assist them. Efforts however are still being made to raise fresh lashkar to occupy old position in Jindai Khwar or to attack Government levy posts. Latest news from Malakand reports outbreak of cholera in Arang and Bajpur. Haji of Turangazi is still at his home in Lakarai, but is sending out messages to tribes calling on them to renew struggle with Government. At usual Afridi jirga 27th June hostile party of mullas and young bloods decided fresh lashkar should be raised against Government on 2nd July. Warning was issued to all sections of tribe announcing Government's intention to take all necessary action unless tribe abandoned intention of organizing lashkars against British territory. Further Afridi jirga on 28th June broke up owing to dissension among the various sections of tribe and up to 4th July there was no sign of any lashkar materialising. On 30th June front wheels of leading engine of train from Peshawar to Landi Kotal were derailed near Shagai owing to dogspikes inserted between rail points. No one was injured and train proceeded on journey. Attitude of Pass Afridis and Orakzais remains good. On two occasions during week shots were fired at Militia posts on Kurram border. In Waziristan hostile Mulla Gulin has again succeeded in raising a following

with proposed object of attacking friendly Mahsud sections. Warning has been issued to hostiles that air action will be taken against them in event of any further activity.

*Internal.*—Internal situation throughout Province continues rapidly to improve. Only untoward event was on evening of 2nd July when slight explosion occurred on railway line near Peshawar Fort when Calcutta Mail was passing. No damage was done to train or passengers. On 3rd July representative deputation of many different classes and schools of thought presented address of welcome to Chief Commissioner at Peshawar including constructive suggestions for development of local self-Government and for enhancing general efficiency of administration. Deputation deplored regrettable incidents which caused so grave discontent and strained relations between people and authorities. They strongly pressed question of reforms and considered that recommendations of Statutory Commission for North-West Frontier Province were altogether inadequate. Suggestions for immediate action related chiefly to local self-government, panchayats, scope of activities of beneficent departments, assurance relating to land revenue, water rates and local rates and urged need of closer association of people with administration. Deputation said "constitutional agitation is the method on which we rely and defiance of law is not the course which we pursue or approve of. We feel that our Province cannot advance unless it be through co-operation of Government and people both working in spirit of mutual confidence." Chief Commissioner gave sympathetic and encouraging reply assuring deputation of sympathy and support in measures of reform under existing law. He announced that District Boards and Municipalities would be reconstituted and elected element introduced and that Panchayat Act of Punjab would be referred to Committee for report. He accepted the principal that in beneficent departments standard of administration to be attained in Province should not be below that prevailing in adjoining districts of Punjab and he gave assurances that reassessment proposals of Peshawar district would be examined in light of Punjab Land Revenue Amendment Act and that land revenue, water and local rates would not be higher in the North-West Frontier Province than in the Punjab. He assured them that he looked with sympathy on natural aspirations of people to advance intellectually, economically and politically and concluded with following words "The task before us—the Government as well as the people—is a great and noble one. Its successful accomplishment needs the co-operation of both and it is my earnest desire to see the province prosperous, contented and progressive." Hon'ble Mian Sir Fazl-i-Hussain was present with Chief Commissioner and associated himself on behalf of Government of India with all assurances given. Function in political circles is believed to have far-reaching significance as heralding era of constitutional advance with peace and progress, closer association of official and non-official agencies and more intimate union of Hindu and Muslim efforts in common cause of well ordered development of province.

2. The chief event of the week has been the declaration of the All India Congress Working Committee as unlawful association under the Criminal Law Amendment Act. The Committee consists at full strength of about 15 persons. For a considerable period they have been playing a prominent part in organising and directing the Civil Disobedience Movement. Not only have they passed a number of resolutions urging the public to defy the law and to refuse payment of taxes, but they have circulated widely an incitement to the troops and the police to fail in their duty in dealing with the Civil Disobedience Movement. Simultaneously with the notification of the Committee the President Pandit Moti Lal Nehru and the Secretary were arrested and were subsequently sentenced to six months' simple imprisonment each. Following on this action there were hartals in various towns, but many of them were incomplete, and there have been no clashes between the authorities and the public. Popular demonstrations have been most marked in Bombay City, where conditions continue to be unsatisfactory, and the millhands suspended work for two days.

3. The day before the Committee was notified, 1a meeting was held, the results of which have now been reported in the press. A number of resolutions were passed, the general sense of which was to urge the continuance of the civil disobedience movement with increasing vigour. The Committee confirmed the resolution inciting the troops and police to fail in their duty, reference to which has been made above, and they urged all Congress organisations to give the widest publicity to it, in spite of the fact that the resolution had been proscribed under the Criminal Law.

4. During the week the Governor General promulgated an Ordinance for the purpose of controlling effectively the seditious bulletins and news-sheets which since the issue of the Press Ordinance have been published in many places in deliberate defiance of the law. These bulletins consist largely of falsehoods and misrepresentations and their object is to stir up racial and anti-Government feelings.

5. In spite of the vigorous activities of the Congress, the situation shows distinct signs of improvement, in several directions. As already noted, the position on the Frontier is rapidly returning to normal. In parts of Gujarat there are indications that the movement is losing some of its vigour and most of the provinces report a slackening of effort. The conviction that the Civil Disobedience Movement cannot succeed is growing and commercial and industrial circles are showing increasing concern regarding the dangerous consequences of its continuance. There is an increase in constructive effort towards a constitutional solution of political problems, and Muhammadans in particular are devoting much thought and attention to the presentation of their case at the London Conference. While the situation, therefore, has still many unstable elements, these are not so numerous or so pronounced as a few weeks ago.

**The following is appreciation of the situation up to July 12th :—**

1. (a) *Tribal*.—Week has seen recrudescence of hostile activity in South Waziristan. In upper Shaktu area hostile Shabi Khel Mulla Gulin succeeded in collecting lashkar of Shabi Khel, Kikarai, Jalal Khel and Nazar Khel Mahsuds. Simultaneously Mulla Kundalai with Ramzan, Saddle Khan and other hostile leaders collected lashkar in Maidan and Baddar Valley area. On evening 6th July Gulin's lashkar invested Scouts post at Sararogha and during night fired shots into post, destroyed neighbouring Khassadar post and smashed water pumps on which post depends for water supply. On morning 7th July Kundalai's lashkar from Maidan and Baddar entered Marobi village on main Razmak-Sararogha road, attacked Khassadar post at Shamak Ragha and destroyed road bridge above Marobi. Lashkar then joined forces with Gulin at Sararogha. On evening 7th July strong party under Saddle Khan and others was detached from Sararogha and moved down road, objectives apparently being Kotkai and Ahani Scouts posts and Khassadar posts south of Sararogha. On 8th July main lashkar was still in position round Sararogha. In late evening they again concerted attack on Scouts post and gun belonging to Saddle Khan was brought into action. Gun was put out of action by machine gun fire from post and lashkar withdrew to a distance but kept up long range sniping. Lashkar withdrew northwards on morning 9th July but in evening of same day returned and made further determined attack on Scouts post. They were repulsed with considerable loss including, it is said, destruction of gunners owing to bursting of Saddle Khan's gun. Lashkar then retired toward Piazza, captured and destroyed Khassadar posts at Piazza and Bibizai and invested Khassadar posts at Shamk and Ladha. On advent of Razmak column on 10th July lashkar withdrew towards Maidan. Noticeable feature of operations has been co-operation on part of friendly sections and loyalty of Khassadars. On 7th July Khassadar posts at Maidan, Bibizai and Shamak Ragha successfully defied Kundalai's lashkar and friendly Abdullai of Makin posted force of 200 men at Tauda China in order to deny lashkar admittance to Makin. In neighbourhood of Sararogha Khassadars and friendly sections have co-operated with Scouts. On July 10th Abdullai of Makin moved out in force to assist Khassadars at Shamak and co-operated with Razmak column. Continuous air action has been maintained against the lashkars and areas which supplied them and numerous casualties have been inflicted on the lashkars. On Peshawar border Alingar Fakir is still active. By July 10th he had again collected lashkar about 1,000 strong at Agra Shamoza between Malakand and Swat River with intention of re-occupying old position in caves near pallai in Jindai Khwar. Warning was issued that action would be taken if gathering did not disperse. Haji of Turangzai has announced his intention to leave Mohmand country if Mohmands do not join him in *jihad*. Among Afridis general intention now appears to collect representative jirga for discussion with Government. Malik and elders are making efforts to bring this about but are encountering opposition from Mullas and young bloods. Some slight anti-Government activity is reported amongst Ali Khel sections of Orakzai tribe. On 8th July patrol of Kurram Militia was fired on by trans-border gang.

(b) *Internal*. Bannu district reports slight recrudescence of political meetings in villages. Five Congress volunteers organising picketing by villagers in Bannu city

were arrested and sentenced. On night 8th July slight explosion occurred in Peshawar city outside house of Honorary Magistrate but very little damage was done. Mardan reports dacoity at Dagi in Swabi tahsil in which dacoits were disguised as Police. Otherwise position is generally returning to normal.

2. In the other parts of India Civil Disobedience Movement pursues its course. There has been increased activity in some places and lull in others, but on the whole recent indications of decline have been maintained. In several towns renewed energy has been imparted by return of students from their vacations. They have given some trouble in Calcutta and Bombay. Their chief activities are to prevent attendance of pupils at Government schools and colleges and of candidates at Government examinations. It is reported that in Bengal as whole Civil Disobedience Movement is on decrease, but tendency towards violence increasing and there are signs that terrorist party may become more active. Madras Presidency also reports definite slackening in movement due however more to vigorous action by authorities than to voluntary abandonment by its adherents. Similar improvement is manifested in other provinces, except in Bombay and C. P. Further clashes have taken place in Bombay Presidency between authorities and public, most serious of which occurred on 11th in Bombay when Congress volunteers persisted in their attempts to hold procession and meeting in honour of Garhwali soldiers who have been convicted of mutiny. In spite of orders of Commissioners of Police forbidding procession, volunteers made persistent efforts to defy authority and police had to make several charges before intention was abandoned. There was collision during the week between Police and crowd in Poona and owing to its aggressive attitude the crowd had to be dispersed by force. In Gujerat, on the other hand, there are signs of improvement, and in several districts village officers who had been persuaded or coerced to resign their offices are withdrawing their resignation in considerable numbers. In the C. P. an organised movement has been started to defy Forest laws.

3. While movement remains in principle non-violent, incidents are continually occurring which show that rank and file especially in rural areas cannot be restrained from acts of violence. This most commonly takes form of attacks on small parties of police and four or five incidents of this nature have been reported during the week from Bengal, Bihar and Orissa and Madras.

4. In Punjab agitation in regard to Siganj Gurdwara affairs has been revived. It will be remembered that on May 6th, in course of rioting at Delhi, firing had to be directed towards building, in order to protect from murderous shower of brickbats proceeding from Gurdwara party of police who, at great risk to themselves, were going to rescue their comrades. This incident has been used by extremists, to stir up ill feeling towards Government, and band of 100 Akalis started this week from Amritsar to march to Delhi. There is at present no reason to suppose that Sikhs as a whole are seriously affected.

**The following is appreciation of the situation up to 19th July : -**

North-West Frontier Province (a) Tribal. In South Waziristan successful action of Royal Air Force has afforded yet another proof of its efficacy as weapon against hostile tribes. Determined action of Scouts and Khassadars combined with continuous co-operation of Royal Air Force both in reconnaissance work and direct action against hostiles has rendered situation Waziristan very much easier. Complete *jirga* of section most deeply implicated namely Shabi Khel has come into Razmak and given security for good behaviour pending decision terms of settlement. Nazar Khel, another section deeply implicated, have asked for and been given three days grace in which to collect *jirga* with view settlement. Considerable portion Badinzi section and some other minor sub-sections still remain hostile. Mulla Gulin quiet and his section has given security for his good behaviour; but Mulla Kandali with Ramzan and other hostiles remain active and are trying stir up trouble among Kabul Khel and other Wazirs. Air action being maintained against hostiles wherever opportunity offers. Jallal Khel Khassadars have returned to duty, situation vicinity Sararogha and Sarwekai again normal and Khassadar system between Jandola and Sararogha fully restored. A Northern border Peshawar District air action continued against Utman Khel lashkar which had again collected at instigation Alingar Fakir and had crossed south of Swat river in area Total. Action so effective that lashkar very soon retired again north of river. On 13th July Political Agent, Khyber saw *jirga* Afridi maliks and elders with few young bloods. Their attitude was formally correct but they announced various grievances some dating back to Foulkes case in 1921 and declared that they would not resume friendly

relation until these been redressed. So-called Khilafat volunteers among Afridis increasing in numbers and now said to number about sixteen hundred. Movement spreading to Orakzais and to Massozoi and Chamkanis of Kurram Agency.

(b) *Internal*—Reports from Charsadda area indicate steady improvement attitude villages. Latest instance is petition from turbulent village of Hari Chand affirming loyalty and anxiety to stop anti-Government agitation. Early hours 15th July morning unsuccessful attempts made to blow up with gun-cotton two old howitzers which ornament Mackeson Gardens Peshawar Cantonment. Recrudescence of picketing cloth and liquor shops Bannu City; but picketers in each case removed by Police. Generally speaking, situation in province continued to improve ever since widely representative deputation met Chief Commissioner at Peshawar on 3rd July, assured him of their belief in constitutional methods and received his reply indicating sympathetic policy of Government.

2. Increasing evidence being received of inevitable effect of Civil Disobedience Movement in encouraging spirit lawlessness in directions not directly concerned with movement. Most striking example is outbreak of disorders on considerable scale in part of Mymensingh district of Bengal, where respect for law and order seriously affected by Congress activities. Disturbances taken form of attacks on money-lenders by debtors and number of villagers involved. Ten or twelve persons murdered and considerable looting property taken place. Situation now under control but authorities have had to carry out operations over considerable area, and been necessary for police to fire on several occasions. Information at present available indicates that trouble economic rather than communal. Several provinces report increase in violent crime due disturbed conditions and further dacoities occurred Gujarat. Outbreaks violence directly connected with Civil Disobedience Movement continue to be reported. Madura in Madras Presidency picketting liquor shops was rapidly followed by violent attack on police by large crowd. Crowd dispersed by firing but subsequently attacked police station and had again to be dispersed. Firing also necessary in Etah district in United Provinces where mob used violence to interfere with meeting held in support Government.

3. General position continues to show fluctuations in different provinces. Students active in various towns and much interference with normal work of educational institutions. Children being used to an increasing extent in many places and in Gujarat, in particular, are being employed in organized bands. All districts of Gujarat, however, report an improvement in situation and some local officers consider that movement is definitely on decline. In one or two provinces propaganda in villages is increasing and although so far it has negligible effect on payment land revenue and other dues, a certain measure of success been attained in some districts in attracting support for Congress. District reports from Punjab are almost unanimous in view that situation is definitely more encouraging than at any time since Civil Disobedience campaign developed and they indicate strong reaction against Congress activities. On the other hand, there have been signs during last few days that extremist Akalis may give certain amount of trouble. In Central Provinces breach of forest laws mentioned in last week's appreciation would appear to be half-hearted.

4. Central Legislature completed its session during week. While there was inevitably criticism of measures Government have been compelled to take, there was general recognition of harm Civil Disobedience Movement is doing to country in all directions, and desire was freely expressed that movement should be brought to an end. Belief steadily gaining ground that solution of India's difficulties is to be sought along lines indicated in Viceroy's speech of 9th July of attempting to reach agreed conclusions at Round Table Conference, principle of which was supported by Legislative Assembly after full debate without division. Viceroy's speech created marked effect and moderate opinion is expressing itself more strongly in favour of abandonment of unconstitutional methods.

**The following is appreciation of the situation up to July 26th :—**

In Waziristan situation continues to improve. Preliminary settlements with Shabi Khel and Kikarai have been successfully concluded, these sections having given security in rifles for good behaviour and liquidation of any fine Government may impose. Shabi Khel Khassadars are now performing full duties again. Jirgas of other sections except Nazar Khel who are procrastinating have also come in with a view to settlement and are depositing rifles as security. The Razmak brigade which moved out to Tanda China on 10th July in order more closely to support Scouts and Khassadars

after some fighting in that neighbourhood with hostile gatherings which it dispersed advanced to Ladha on 23rd July. The march up Baddar valley was carried out successfully with very little opposition and presence of column in Ladha area is producing good effect in hastening submission of hostile sections already severely shaken by continuous air action. Baddar stream has been in spate but M. T. convoys have successfully negotiated route to Ladha. Certain minor sections still remaining recalcitrant may have to be dealt with by further ground and air action but latest reports show that Nazir Khel Jirga is coming in with view to settlement.

*Peshawar Border.*—Alingar Fakir continues his activities in Utman Khel country north of Swat River. Utman Khel of Barang have refused to join him but some of the Mamund tribe have done so and he appears to contemplate crossing to south Swat River again. Air action will be taken against any part of his lashkar which does attempt to cross the river. Cavalry Regiment has been moved to Tangi and levy posts in neighbourhood of Kot Torai have been strengthened.

Afridi Jirga at Bagh on Friday 18th was unusually strong and fully representative of all section except Aka Khel, Kamarai and Sipah who attended in small numbers. Contingent of about 600 Orakzais was also present. Results of Political Agent's interview with Jirga on 18th were reported at gathering and it was resolved that raids should be organised against Government pending compliance with tribes' demands. It was also decided that parties of Afridis should start at once to tour in Orakzai country and establish Afridi-Orakzai unity. In pursuance of this decision contingents of Afridis left for Orakzai country next day and have been moving about in Orakzai country enlisting so called volunteers and proclaiming intention to hold mass Afridi Orakzai Jirga near Khanki Bazaar on 25th. Aeroplanes reconnaissances over Bara and Mastura valleys have been heavily fired at on several occasions during week. Efforts are being made to bring in the Shiah Orakzais also and the Massozai and Alisherzai of Kurram Agency.

*Internal.*—Conditions on the whole continue to improve and number of under trial and convicted persons of Peshawar district connected with recent agitation who have been released on giving satisfactory undertakings for future now exceeds 180. There are some signs, however, of revival of agitation in Utmanzai villages in Charsadda tashil and meetings are being held again. On 22nd July Taroba village in Nowshera tashil was visited by armed gang of Hassan Khel of Janakor dressed in Khaki. They represented themselves as Frontier Constabulary and summoned two villagers outside village where they shot them dead. It is believed this was done in prosecution of inter-village feud. In Bannu city picketing of liquor shops by women continues and restrictions on ingress of villagers are being maintained. Rural situation in that district also is somewhat less satisfactory, and carrying of arms by audiences at meetings is becoming more common. District Magistrate as a precaution is calling in all Government and licensed rifles in Bannuchi area.

2. In other parts of India there have been several clashes between the police and volunteers. These arose mainly out of picketing but none were on a large scale. There has been much activity in several provinces in picketing of school and colleges, and the object appears to be not merely to prevent pupils and students from attending Government schools, but to obtain the boycott of all educational institutions with a view to obtaining more active recruits for the Civil Disobedience Movement. This form of activity varies much from place to place, and the success so far achieved has been limited. In Assam, there have been several cases of schools being burnt down. The breach of forest laws has been renewed in the Central Provinces and has begun in the Bombay Presidency. The campaign against the payment of land revenue continues in Gujarat, but with this exception all local Governments report that collections of land revenue and other Government dues are satisfactory. There is, however, apprehension in some provinces regarding the economic conditions created by the fall in the price of several agricultural staples. So far the monsoon has been favourable. Increased Congress activity in the villages is reported by several provinces.

3. The general position in the provinces may be summarised as follows. There has been a definite decline in the movement in Bengal, Madras, Bihar and Orissa Assam and Delhi but in Bengal student activity may give fresh encouragement. In the Punjab there has been a marked improvement during the past months but the Sikh situation is still unstable. The United Provinces report greater activity in the villages both in regard to meetings and propaganda parties. In the Bombay Presidency, Gujarat continues to show signs of some improvement; the position



in Bombay city is little changed, and attempts are now being made to win over labour; the movement has had very serious effects on trade and business, and the industrial outlook is gloomy. Movement has gained force in the Central Provinces, where it was late in establishing itself on a firm basis, and the situation there has definitely deteriorated. Viewing situation as a whole there are some indications of weariness and counter propaganda is producing results.

4. The Viceroy's address to the Central Legislature on the 9th of July has been favourably received in the press and has undoubtedly strengthened Moderates in favour of constitutional methods. The economic evils of the civil disobedience movement are attracting increased attention.

The following is appreciation of the situation up to August 2nd :—

*Tribal.*—In Waziristan settlement with the various Mashud sections is proceeding very satisfactorily. The Nazar Khel jirga came in to Ladha on 27th July bringing Kundalai with them. Preliminary settlement with the Badinzai section has been completed and negotiations with the remaining sections are continuing. The Nazar Khel have left twenty hostages at Ladha and other sections have deposited substantial instalments of the rifles demanded from them. Individual hostile leaders Ramzan, Sadde Khan and Parmanai have accepted the terms offered to them which include surrender of Sadde Khan's gun and deposit of six first class rifles. The brothers of Khaisor and Kundalai have been left at Ladha as hostages. Incipient trouble with the Jani Khel and Bakka Khel Wazirs has been checked and the "Bannuchi Mulla" is reported to have fled from Waziristan. On the northern border of Peshawar district the situation has remained some what obscure throughout the week; but there has been no overt act of hostility. A combined lashkar of Mamunds and Utman Khel estimated at about 1,500 strong has been in motion on the northern boundary of the Peshawar district under the Alinagar Fakir but it is now reported that it has dispersed and its members have mostly returned to their homes in Bajaur. In Tirah the activities of the Afridi emissaries to Orakzai country appear to have met with very little success. Joint jirgas were held at Gurgurai on 24th, at Khanki Bazar on 25th and at Dabori on 27th July. The results were inconclusive and it seems that the Afridis have not yet been able to achieve any sort of unity with the Orakzai. Mulla Mahmud left his home at Khanki Bazar before the arrival of the Afridi emissaries and took no part in any of the jirgas. It is now proposed to hold another joint jirgas on August 5th.

*Internal.*—There is no change in the situation in Bannu city. The process of disarming the disaffected portions of the rural area has continued throughout the week and the total number of Government and private rifles withdrawn amounts to nearly a thousand. Elsewhere normal conditions have returned and there is nothing to report.

2. During the week it has been necessary to apply the Prevention of Intimidation Ordinance to the Central Provinces where picketing has become more intensive and the methods more forcible. The Unlawful Instigation Ordinance which makes penal the instigation to non-payment of land revenue and certain other dues has been applied to the United Provinces where Congress propaganda has been carried on in some villages. The breach of Forest Laws appears to be extending in the Central Provinces and in the Bombay Presidency and in some places it has been accompanied by wilful damage to standing trees. The picketing of schools and colleges continues in some towns and in Calcutta has necessitated the successive postponement of certain law examinations. Generally, however, this part of the Congress programme does not appear to be achieving any considerable success. The position in Gujarat continues to improve. More village officers have withdrawn their resignations and in several districts the collection of land revenue is proceeding better than was expected.

3. In defiance of an order issued by Commissioner of Police, Bombay, a procession attempted to follow a prohibited route and in consequence the leaders were arrested. These included Vallabhai Patel, acting President of the Congress Working Committee, and several other members of that body, who had put themselves at the head of the procession and deliberately defied the law. The economic position in Bombay city is deteriorating. On the 1st of August six mills closed down involving 13,000 operatives and it is anticipated that other mills will close in early future owing to inability to finance further production. The economic effects of the Civil Disobedience Movement are not confined to Bombay although they are perhaps most pronounced in that city. In Amritsar, which is an important centre of piece-goods

trade the ban on foreign goods has resulted in locking up a very large amount of capital with the inevitable consequence that the finance of trade is seriously affected and that movement of Indian made goods is impeded. It is reported that sales of piece-goods dropped in the month of June from an average of 25 to 2 lakhs. Madras Government reports that in several places large number of weavers have been thrown out of employment owing to Civil Disobedience Movement. The operation of economic forces may be expected to encourage increasing opposition to the continuance of the movement.

4. Subject to the above remarks the position in the various provinces is as stated in last week's appreciation and the improvement manifest during the past few weeks is maintained.

**The following is appreciation of the situation up to August 9th :—**

*Tribal.*—In Waziristan there is nothing to report and conditions may be said to have returned to normal. On northern border of Peshawar district there is also little to report. Haji of Turangzai though constantly intriguing is still inactive. In Tirah the Afridis have renewed activities and raised fresh lashkar against Government. Weekly Friday jirga at Bagh on 1st August was well attended by hostile mullahs and young bloods. Government maliks and elders did not attend but about 300 Orakzai were present. It was decided to raise lashkar at once and to proceed down Bara valley in small parties by night to Khajuri plain, where lashkar was to concentrate on 6th August. Recruiting parties were also sent out to enlist co-operation of Orakzais. Government elders and maliks made unsuccessful attempt to restrain hostile element which set out according to plan small parties on night of 3rd. Warning notices were immediately issued to all sections and villages situated in line of advance of lashkar constant aerial reconnaissance was carried out over Bara valley and air action was taken against parties of hostiles whenever opportunity offered. By 6th August large number of hostiles were known to have concentrated in Aka Khel and Sturi Khel limits in Bara valley. Air action was maintained against them continuously throughout 6th and 7th and troops moved out to positions of readiness in Peshawar district. By 7th August lashkar had concentrated in caves to west of Khajuri plain. During night 7th-8th detachments from lashkar moved forward to area south of Bara Fort while part of main body moved to other caves south of Bara river in hope of escape from aerial bombing. Military and Frontier Constabulary pickets engaged several detachments of hostiles during night and inflicted some casualties but small parties totalling several hundred in all penetrated into Peshawar District and concealed themselves in country south and south-east of Peshawar. Some of these parties were located and engaged by troops on following day. Intention was then reported that main body of lashkar should deliver attack on night 8th-9th while detachments already in district created diversion. Latest reports from Peshawar however show that no attack was carried out on city or cantonments during night 8th-9th and lashkar appears to be dispersing. Several bodies of Orakzais killed by bombing in Bara have been brought to their homes. These must have joined Afridi lashkar on way down from Waran valley. Political Agent, Kurrum reported some activity among Massozai and Chamkannis. Reports also show that Tirah Adam Khel are trying to instigate Hassan Khel and Asho Khel to attack lashkar to attack Nowshera.

*Internal.* Recrudescence of agitation in Charsadda sub-division has taken form of picketing liquor shops. A number of picketers have been arrested and movement is subsiding. Local police has been strengthened and cavalry regiment has been moved from Tangi to Charsadda. In Bannu city picketing is also decreasing; but restrictions on city gates have not yet been relaxed. Government and licensed rifles are still being called in from disaffected areas in Bannu district.

2. Summaries have appeared in the press of the resolutions passed by the All-India Congress Working Committee at the meeting held at Bombay at the end of last month. They confirm the previous programme of the Congress, and encourage the defiance of the various Ordinances, the disobedience of forest laws and the boycott of British goods and institutions. They also endorse the previous resolution of the Committee inciting troops and police to fail in their duty. A new item in the programme is the boycott of Legislative bodies and interference with the rights of candidates and voters at the forthcoming elections. If effect is given to this last recommendation on a considerable scale, the result is likely to be disorders and clashes at the time of the elections. General effect of the resolutions is

to give encouragement to the forces of lawlessness and still further to increase the great loss in trade and industry for which the Civil Disobedience Movement is already responsible.

2. There have been serious communal disturbances in Sind. The disorder commenced in Sukkur, but has spread to Rohri and to adjacent villages. The origin is reported to have been a dispute between members of a Swarajist procession and a Muhammadan tonga driver, exaggerated accounts of which gave rise to alarmist rumours followed by serious clashes between the two communities. The casualties have been serious and the latest reports indicate that the situation is not yet under complete control. Another communal riot occurred at Ballia in the United Provinces and the police had to fire in order to restore order. No serious collision between the police and the public arising directly out of the Civil Disobedience Movement is reported, but reports received from the Provinces mention a number of cases in which violence has been used against the police.

4. The provincial fortnightly reports describing the situation during the last fortnight of July are the most favourable received for some months. In Madras the decline in lawless activities is becoming more marked, and in many districts attempts to defy the law are half-hearted and readily abandoned. The number of accused and convicted persons who offer apologies is increasing and public opinion against the Civil Disobedience Movement is hardened. In Bengal the position has improved in some districts and is stationary in others. Picketing of foreign cloth and liquor shops has decreased, but that of schools and colleges continues and is having a disorganising effect on University and Secondary education. The Punjab report that the movement continues to decline, and is now being kept alive mainly by the activities of extremist Akalis. A favourable sign is that agitation has decreased in rural areas. Bihar and Orissa records a similar improvement, and most districts report favourable indications that the movement is growing weaker. In the United Provinces agitation has not grown more intense during the past fortnight, and in many districts is at a standstill. Rural agitation, however, still continues in some parts of the province, and there is a growing tendency towards acts of violence. In the Central Provinces the movement is at present very intense and the spirit of violence more marked, but vigorous action is having an effect in the more troublesome districts. In Gujerat district authorities are gaining the upper hand and the agitation is losing its momentum. The situation in Bombay city shows little change and in the rest of the Presidency there has been an increase in picketing and in the defiance of forest laws.

5. There are some features of general interest. Counter-propaganda is obtaining a wider hearing, due partly to an increase in the number of classes and persons adversely affected by the Civil Disobedience Movement and to the rapid rise in the financial loss involved. While boycott of foreign goods is wide-spread and is still effective, there are definite indications that the evasion or defiance of the Congress ban is becoming more frequent and that large and small traders are becoming more restive as the period of their losses continues. The defiance of authority and the frequency of disorders has not been without its effect on the criminal classes and most provinces report an increase in crimes of violence. Similarly the picketing of liquor shops has given a stimulus to illicit distillation. A very satisfactory feature is the response to the Loan recently issued by the Government of India. Public subscriptions amount to nearly thirty crores and may be reasonably interpreted as demonstrating the confidence of the Indian investor in the stability of Government and his belief that efforts to paralyse the administration have failed.

**The following is appreciation of the situation up to August 16th :—**

*N. W. F. P. Tribal*.—Focus of interest in tribal situation during week has been activities of Afridi lashkar in Peshawar district and on district border. Detachments from main lashkar which were reported in the last week's summary to have got into district remained there at varying strength throughout week. Numerous large gangs concealed themselves in thickly wooded belt to south and south-east of Peshawar and amongst ravines further to east and were constant source of trouble and anxiety to authorities. They also made several unsuccessful attempts in small parties by night to enter city and Cantonments. Taking advantage of cover afforded by high crops they were generally able to elude military whose efforts were directed to this expulsion. For this reason decisive military action against them is difficult at present season. Moreover they undoubtedly received shelter, food and some active assistance from villages in neighbourhood of Peshawar. They at one time succeeded

in cutting all communication with Peshawar and one party forced way into Supply Depot where it did some damage before being driven out.

Orakzai situation has remained uncertain throughout week. As reported in last week's summary number of Orakzai undoubtedly accompanied main Afridi lashkar and some took part in activities inside Peshawar district. Two section of tribes raised lashkar of sorts in Tirah with intention of attacking Kohat but general enthusiasm appears to have been lacking and by end of week nothing had materialised. On Kurram border however overt action was taken against Government by another Orakzai section the Massozai with their neighbours the Para Chamkannis who made attack on militia posts and villages in Kurram valley. Militia and village levies engaged them with good spirit. Prompt and very successful air action was taken against hostile formation after due warning against the villages from which they came. Heavy casualties are believed to have been inflicted and considerable damage was done to villages of more prominent hostile leaders. European women were evacuated from Parachinar as precautionary measure but by end of week all was comparatively quiet again. This prompt and heavy punishment undoubtedly had sobering effect on tribes concerned and probably did much to restrain enthusiasm of Tirah Orakzai.

By end of week number of Afridis remaining in Peshawar district had greatly decreased and so also had main body of lashkar in vicinity of Khajuri plain. Situation however continues to be one of considerable gravity and danger. In addition to actual incursion of Afridis from west, other potential sources of dangers to Peshawar district are Mohmands and other tribes to north and Pass Afridis Hassan Khel and Asho Khel to south while on Kohat and Kurram border Orakzai and kindred tribes though quiet again for the moment remain uncertain factor and possible menace. Mohmand sections on actual district border are generally well disposed but upper Mohmands and Safis who are under more direct influence of Haji of Turangzai have only remained quiet up till now because of internal dissensions amongst themselves. Haji has been recipient of constant appeals for assistance from Tirah Afridis and his efforts to effect settlement of internal disputes have at last met with success. In these circumstances it must be anticipated that overt action against Peshawar district on part of Haji's following of Safis and Mohmands may develop before long and that the Haji's friend and ally, Alingar Fakir will exert influence to bring about co-operation of Utman Khel. To south of Peshawar district attitude of Pass Afridis remain satisfactory though constant efforts are being made by Tirah Afridis to enlist their co-operation. Hassan Khel and Asho Khel are less reliable. Some of them are already known to have joined Afridi hostiles in district and they are in a position to make trouble in Nowshera area if opportunity offers.

To meet this situation special measures were found necessary and Martial Law has been proclaimed in Peshawar district by Ordinance promulgated on evening August 15th.

From Waziristan itself there is little to report and conditions there have remained normal throughout week. Saifali section of Kabul Khel Wazirs in Birmal have however been showing some signs of unrest under influence of hostile mulla who recently fled from Bannu district.

*Internal.*—Congress agitators of Bannu district have been making strong efforts throughout week to spread propaganda in Khattak country in southern portion of Kohat district but have encountered spirited opposition including counter propaganda and had very little success. Elsewhere there is nothing to report.

2. Communal disturbances in Sind, to which reference was made in last week's appreciation, have spread over a large area on both sides of the Indus, and a serious situation has developed. Population of villages is almost entirely Muhammadan with a small section of Hindu money-lenders and traders, to whom many of the Muhammadans are indebted. Communal feeling is therefore aggravated by economic causes and when, as in present case, trouble extends into rural areas it takes form of violence, towards and looting of small Hindu population. Difficulties of communication and scattered character of villages make difficult operations of troops and police and it has been necessary to concentrate Hindus as far as possible in convenient centres near railway line, where protection is being given to them. Troops and police have been reinforced and every effort has been made to bring trouble under control as early as possible, but it is feared that loss of life and property has been considerable.

3, Outside North-West Frontier Province and Sind there has been a comparative absence of incidents during week. Defiance of forest laws continues to give trouble in the Central Provinces and in south of Bombay Presidency. Picketing of schools and colleges appears to have slackened somewhat, but has resulted in serious interference with studies in some towns. Land revenue is being collected more freely in Gujerat, and general situation there is rather easier. There is little change in Bombay City. One more mill has closed down and Congress continue their efforts to attract labour, but two recent meetings held for this purpose were poorly attended. In Bombay and generally throughout country economic conditions tend to deteriorate and the continued boycott of British goods, especially of cloth, threatens imminent ruin of a large number of small Indian dealers who are unable to resist pressure of social boycott and other methods of coercion. Monsoon has so far been favourable, and harvest prospects are good, but low level of prices of agricultural produce gives cause for anxiety. Recent events in North-West Frontier Province have not so far had serious reaction on general political situation, but developments there are being watched with interest.

The following is appreciation of the situation up to August 23rd :

(a) *Tribal*.—By 19th August Afridi lashkar had dispersed, though few small parties still remained in district. Gang of about 30 was seen on 19th, some seven or eight miles south of Peshawar. Another gang was reported to have entered district on night of 20th and two similar gangs were reported on 21st, south of Peshawar and in direction of Attock bridge. Car containing two British officers and two sepoy was fired at in Khyber Pass above Jamrud on afternoon 17th. Afridi Khassadars engaged offenders and drove them off. Empty staff car returning to Rawalpindi from Peshawar on morning 20th, was shot at between Nowshera and Attock. Bullet pierced windscreen but driver was uninjured. Party of Tirah Afridis under leading hostile mulla has been touring Hassan Khel country in hope of involving Hassan Khel and Jowaki but seems to have met with very little success. Congress emissaries from British territory are however reported to have passed up Bara valley to urge Afridis to renew hostilities. About three thousand Afridis were present at usual Friday jirga at Bagh on 22nd and aeroplane doing reconnaissance there was fired upon.

On northern border of Peshawar district Haji of Turangzai and his emissaries have remained active among Upper Mohmands and Utman Khel. Jirga of two sections of latter tribe interviewed Deputy Commissioner on 16th. They undertook to commit no more offences against Government, to refrain from joining any hostile lashkar and to refuse passage to any hostile lashkar of other tribes. In view of this undertaking their eleven prisoners captured at Pallai were released. It is clear however that Haji has met with good deal of success among Upper Mohmands and possibly some part of Utman Khel tribe and still has great hopes of raising lashkar to attack Peshawar district by way of Gandao. Halimzai and Tarakzai Mohmands on district border have given assurance that they will oppose him in this and Mohmand Khassadars have been released from duties in border posts in order to go to Gandao and assist.

Tirah Orakzai have remained quiet throughout week and their threatened attack on Kohat district did not materialise. On Kurram border intensive bombing of Massozai and Para Chamkannis had very good effect. By 19th August Massozai were making overtures for settlement and bombing was accordingly suspended. Massozai jirga and jirga of one section of Para Chamkannis have now come in to Parachinar. Agitation however has spread to other tribes. On 19th August Ahmadzai Ghilzi collected lashkar on Peiwar Kotal in neighbourhood of Utsar and Bargawiser. Reconnaissance aeroplanes were heavily fired on from these two points and militia pickets in upper Kurram were fired on from Utsar. Thanks to excellent defensive measures adopted by Kurram militia and village levies together with successful measures adopted by local Afghan authorities to restrain tribes on their side of border hostiles dispersed after few days without further committing themselves. It appears however that dispersal was only temporary and they now turned their attention to Kharlachi side about 8 miles west of Parachinar. There was considerable firing in that area throughout night 22nd-23rd and some hostiles were observed on morning 23rd.

In Waziristan there has been some recrudescence of activity among Saifali and Pipali Kabul Khel Wazirs in Shawal who seem to have been stirred by hostile mulla refugee from Bannu district. Latest reports are that they have succeeded in enlisting co-operation of Ahmadzai Wazirs of Birmal and lashkar of about four

thousand is believed to have collected with object of attacking either Datta Khel or Wana. Warnings have been issued to all concerned and aeroplane reconnaissances are being carried out from morning 23rd.

(b) *Internal*.—Congress agitators of Bannu district continued to encounter spirited opposition from Khattaks in southern portion of Kohat district and now appear to have discontinued activities in that area. Police and Frontier Constabulary supported by troops visited four Hathi Khel Wazir villages of Bannu district on 21st and made some arrests of agitators who had been prominent in this movement. Hathi Khel Wazirs are now handing in their licensed firearms but mulla who was leader of agitation appears to have absconded.

2. The provincial reports for the first fortnight of August continue to show marked improvement in most provinces. In Madras the number of breaches of the law and consequent prosecutions continues to fall, while the number of apologies both during trial and after conviction tends to increase. Although picketing is still practised in certain districts, it is sporadic and ill-organized. In Bengal the improvement has been so marked that it is possible to discern a tendency to return to normal conditions. There has been less picketing, particularly in Calcutta, and the movement generally has much weakened. A good sign in several districts is the increased attendance at schools, and the boycott of educational institutions seems to be failing. The Bengal Legislative Council, which is now in session, has adopted a very reasonable attitude towards Government business, and the Bengal Criminal Law Amendment Act, which gives for the period of five years special powers to cope with the terrorist movement, was passed by the majority. In the United Provinces the chief feature of the fortnight was the attack on educational institutions, from which Muhammadans, however, kept aloof. There has been very serious interference with studies at Allahabad, Benares and Lucknow Universities but a recent report in the press states that the students have revolted at the first mentioned University against this interference with their future careers. Outside the towns there has been improvement in a number of districts. Counter-propaganda is effective and vigorous. The Punjab records a definite and practically universal decline in Congress activities, and the movement is moribund in most districts. The Sikh situation is, however, still uncertain, although it has not deteriorated. In Bihar and Orissa a few districts are still troublesome, but generally conditions tend steadily to improve. Indiscipline in jails causes some anxiety, and this is also the case in several other provinces. In Assam agitators have been rather more active, and there have been further cases of schools being burnt down. The situation in Bombay City is more stable so far as law and order is concerned, but economic conditions tend to deteriorate and more mills have closed down. Unfavourable developments arising out of the labour situation may be apprehended. The improvement in the districts of Gujerat has been maintained both as regards collections of land revenue and the withdrawal of resignations by village officials. During the past five weeks more than 900 resignations have been withdrawn in the four districts concerned. The breach of forest laws continues in the Deccan and there is a tendency for village officers to resign, although many of the resignations are not intended to be taken seriously.

3. The above record of improvement must be qualified in certain respects. The boycott of foreign goods is still effective in many towns and picketing, though on the decline, is still practised to a considerable extent. There are plenty of persons willing to defy the law and clashes between them and the police have not ceased, although they are less frequent than two or three months ago. During the past week collisions have occurred at Amritsar and Ahmedabad. Occasional attacks on small parties of police in rural areas are reported and attempts are being made on a considerable scale in several provinces to promote the campaign of non-payment of land revenue. The spirit of lawlessness promoted by the Civil Disobedience Movement has inevitably had its effect on ordinary crime, which continues to increase. The terrorist movement is also known to be active. The economic situation generally is the cause of much anxiety. Although therefore the situation in most provinces is distinctly easier, there is no province in which the condition are normal or in which it can be safely said that some activities of the Civil Disobedience Movement may not assume fresh vigour.

4. There has fortunately been a marked improvement in Sind where the communal situation was reported last week to be serious. The position is now under control, although, as was apprehended, the loss of life and property has been considerable, and it will take some time to restore a sense of security.

*The following is appreciation of the situation up to August 30th :—*

**North-West Frontier Province. Tribal.** There have been no fresh developments of any importance in Mohmand or Afridi situation during week and Peshawar district border has remained quiet. Orakzai of Tirah also remained quiet, and there are already regretting extent to which they allowed themselves to be influenced by Afridi hostiles. Area of hostile activity has shifted south-west towards Kurram and Tochi valleys. In Kurram area Messazai and one section of Para Chamkanni tribe have made full submission and complied with all Government terms. Two sections of Para Chamkanni tribe still remain obdurate and have shown signs of renewed activity. Air action is therefore being continued against them. Agitation has however spread to other parts of Kurram border where Afghan tribal contingents recently summoned to Kabul for protection of Capital against Kohdamani rising on returning to their homes have not dispersed but are showing tendency to evade our borders in spite of efforts on part of Afghan authorities to restrain them. Strong tribal contingents have collected in Khost and are actively threatening the north-western area of Kurram agency while others are said to be contemplating more against Datta Khel or Miranshah in Tochi. Situation is at present well in hand but contains serious possibilities. In Waziristan also lashkar of Kabul Khel and other Wazira has collected in Shawal with avowed intention of attacking either Wana or Datta Khel, but has not yet shown any sign of movement in either direction.

**Internal.** There was serious clash near Domel in Bannu district on August 24th between Government forces and large armed party of Hathi Khel Wazira which resulted in heavy casualties on both sides. Mixed force of regular Infantry Frontier Constabulary and Police had moved out from Bannu early morning twenty-fourth to occupy ground where meeting under hostile Mulla Fazl Qadir had been advertised and to effect arrest of leading agitators. Mulla and his adherents appeared with large gathering of armed followers which amounted to regular lashkar and sent message stating that they were prepared to surrender themselves for arrest but only on condition that they were permitted to march with armed following first to place of meeting and thence to Bannu jail where they would give themselves up. Magistrate and Political Tashildar were sent to parley with leaders but hostile lashkar of Mulla's following meanwhile continued its advance towards adjoining hamlet. They came up against platoon of infantry already located in this hamlet which moved out to stop lashkar's advance. Captain F. Ashcroft of 6-13th F. F. Regiment who was with platoon was attacked by one member of lashkar and while attempting to defend himself was shot dead from behind by another. General engagement at close quarters with hand to hand fighting took place resulting in heavy casualties on both sides. Government casualties were nine killed (including Captain Ashcroft) and ten wounded. Hostile casualties were forty-two killed, thirty wounded and more than eighty taken prisoner. Mulla Fazl Qadir was among wounded and subsequently died. While this clash was taking place near Bannu-Kohat road a motor car containing two British officers which happened to be passing along road was fired at by other members of lashkar. One shot passed between front and back seats of car but no damage was done. Road between Bannu and Kohat was closed to European passengers for two days while situation was cleared up. Loyal Hathi Khel Wazir maliks turned out tribal lashkar to pursue remnants of hostiles. Two ring-leaders are reported wounded and in hiding. Usual Friday meeting at Mosque outside Bannu city on twenty-ninth was marked by objectionable speeches by three speakers two of whom have been arrested. Elsewhere nothing to report.

2. The chief event of the week has been the recrudescence of terrorist activity in Bengal where four outrages have been committed within as many days. The first was an attempt to kill Commissioner of Police, Calcutta, whose motor car was bombed. He himself escaped without injury, but the driver of the car was slightly injured. One of the assailants was killed as a result of the bomb explosion and another was arrested. The second and third outrages were bomb attacks on two police stations in Calcutta, but they fortunately caused little injury to the police. The fourth which occurred at Dacca was the most serious of all. The Inspector-General of Police, Bengal, and the Superintendent of Police Dacca, were shot and seriously injured by a revolutionary who escaped. Mr. Lowman, the Inspector-General has since succumbed to his injuries. These outrages appear to be part of concerted campaign of violence against the police and in particular, against European officers and are the outward manifestation of terrorist plans which, it is known, have been maturing for some time. The Bengal Criminal Law Amendment Act, which

was recently passed by the Legislative Council and which will replace a similar Ordinance, furnished the executive with special powers to deal with the movement. Their vigorous use will it is hoped bring it under effective control but it has wide ramifications and the difficulties of preventing isolated outrages are considerable.

3. The Working Committee of the All-India Congress was declared an unlawful association in the United Provinces towards the end of June, and the President and Secretary were then arrested. At a meeting held subsequently in Bombay the Committee showed clearly that they were opposed to the abandonment of the Civil Disobedience Movement and determined to continue their lawless activities without regard to the damage, economic and otherwise, that it is causing to the country. When they announced their intention of holding a meeting at Delhi, the Committee were accordingly declared an unlawful association in that province and when the meeting was held in defiance of the declaration, nine members and the Secretary were arrested, and convicted and sentenced to six months' simple imprisonment each. The arrests were carried out on the 27th of August without disturbance, and although hartals and demonstrations were held in some place, less public interest has been shown than might have been expected.

4. The reports received during the week from local Governments relate only to particular incidents, and there is little of general interest to record. The educational boycott is losing strength and picketing at Allahabad University has been abandoned owing largely to the opposition of students themselves. Boycott of foreign goods is still effective and remains the main success of the Congress. The consequent distress of many thousand of Indian dealers is increasing, but their growing discontent with the Civil Disobedience Movement has not yet taken the form of open revolt. The dislocation of trade is responsible for the closure of more mills in Bombay, where the labour situation is serious. Conditions in the Bombay Presidency show little change. The local Government have declared unlawful various associations in the Deccan, which were organising the breach of forest laws and the deliberate damage to Government Forests. In the Central Provinces vigorous action has curbed agitation in the chief town, but defiance of the forest laws is causing trouble in some districts, and was responsible for a clash between the police and a party of Gonds, who were misled by agitators. The boycott of educational institutions is giving trouble in that province. Generally enthusiasm for the Civil Disobedience Movement is on the wane, but as its failure becomes more pronounced the activities of those who favour violence are likely to increase.

**The following is appreciation of the situation up to September 6th :—**

*North-West Frontier Province.*—(1) (a) *Tribal.*—Peshawar District border has remained quiet throughout week and there have been no fresh developments of any importance in Mohmand country or Tirah. Friendly Mohmand "assured clans" of Peshawar border have been holding *Jirgas* with upper Mohmaud hostiles: but result of these still uncertain.

Storm-centre has been Kurram border, where activities of hostiles mentioned in last week's summary gave cause for considerable anxiety. They occupied positions on high ground along actual boundary line from which they were able to direct heavy fire on Militia picquets and on motor transport using road. On 3rd and 4th September these hostile positions on both banks of Kurram river were strongly re-inforced. Guns were brought into action and hostile positions were shelled on afternoon of 4th. Matters came to head on night of 4th September when hostiles delivered strong and determined attack on Kharlachi Militia post and village and on picquet positions held by our village levies on both banks of Kurram river. Hostile positions were strongly re-inforced late evening 4th and it seemed clear that attack was impending. Militia guns were brought into action and thirty-five rounds of sharpnel were fired on hostile positions before dark. First round registered direct hit on hostile picquet and fleeing tribesmen came under heavy fire from our village levies. Guns apparently disconcerted enemy programme and hostile fire ceased until about 9 P.M. when heavy attack was delivered. Towards midnight two further hostile lashkars arrived and joined in attack. Enemy centre penetrated along river two miles and inflicted some casualties on defenders of river bank villages. Attack on Kharlachi was particularly heavy and levies had hard fight to defend immediate vicinity of these villages. About 1 A.M. several hundred enemy advanced against Kharlachi Militia Post. Militia reserved fire until enemy were within close range and then opened heavy rifle and machine gun fire. By 1-30 A.M. it was clear that enemy was retiring on all points and by 2 A.M. they were completely beaten off.



Our casualties during night were villagers seven killed, seven wounded; Militia three wounded. Enemy casualties not yet ascertained but certainly heavy. Hostiles retired across border but re-occupied former positions on boundary line afternoon 5th and killed one Militia sepoy. By morning 6th Kharlachi area was quiet and it is hoped that heavy casualties sustained on previous night may have lessened enthusiasm of hostiles. There are however some indications of fresh hostile concentration in Peiwar area and necessary defensive dispositions have been made. On other side of Kurram valley air action has been continued, when weather conditions permitted, against two sections of Chamkannis who remain obdurate. One of these sections has now sent in two leading Malikis to make overtures for settlement.

Wazir lashkar in Shawal referred to in the last week's summary dispersed on 2nd or 3rd September without taking any overt action.

(b) *Internal*.—Country-made bomb exploded on 1st September on doorstep of Police Inspector's house in Bannu city but did no damage. Elsewhere there is little to report.

(2) The efforts made by Sir Tej Bahadur Sapru and Mr. Jayakar to persuade the Congress leaders to call off the Civil Disobedience Movement have ended in failure, owing to unreasonable and impractical nature of the latter's demands. These include the right to secede from the Empire, Complete National Responsible Government, including control of the defence forces, acceptance of Mr. Gandhi's eleven points and admission of the principle of repudiation of India's liabilities in regard to British claims by reference to independent tribunal. In addition, the calling off of the Civil Disobedience Movement is to be contingent on the continuance of peaceful picketing of foreign cloth and liquor shops, on the recognition of the right of private manufacture of salt and the remission of all fines and penalties incurred by persons engaged in the Civil Disobedience Movement not convicted of crimes of violence. Apart from prejudging certain issues of first rate constitutional importance these demands most closely affect the financial interests of local Governments and represent an attempt to impose the views of one party without reference to the opinions of others and to practical constitutional and financial considerations. In a third aspect they involve recognition by Government of action in restraint of trade and the continuance of several of the main activities of the Civil Disobedience Movement under official sanction. The proposals as a whole are so far removed from practical politics as to suggest that they have been put forward deliberately for propaganda purposes. Intimation has been conveyed to those responsible for them that discussion on the basis of the demands is impossible.

At the outset the attitude of Government was made clear. Subject to the essential condition that the Civil Disobedience Movement would be definitely abandoned Government were prepared—*firstly*, to withdraw those emergent measures necessitated by the movement; *secondly*, to move local Governments sympathetically to review the sentences of imprisonment passed on persons convicted of non-violent offences directly connected with the Civil Disobedience Movement; and *thirdly*, to secure further fair and adequate representation at the Round Table Conference so that they would have full facilities for pursuing a constitutional course. The breakdown of the conversations may give a slight and temporary impetus to the Civil Disobedience Movement. On the other hand, the conversations have been unscrupulously used in many parts of the country as evidence that Government were anxious for a settlement on any terms and have been employed to encourage volunteers to defy the law on the assurance that prisoners would very shortly be released. The opportunity for organised misrepresentation is now removed. It may also be expected that moderate opinions will recognise that while Government was right to afford all facilities to public spirited persons for the pursuance of any efforts they might make in the cause of peace, the responsibility for the breakdown of the conversations must be attributed to the extravagant and impractical attitude of the Congress.

3. There have been no terrorist outrages during the week and in two directions counter measures have met with considerable success. A force of Calcutta police, acting in co-operation with the French authorities, and under the leadership of Sir Charles Tegart made a gallant and skilfully planned raid on a house in Chander-nagore, where certain suspected terrorists were known to be living. The house was surrounded in the early hours of the morning and after an encounter between the police and the inmates, who were armed with revolvers, one of the latter was killed and the others arrested. The persons arrested include three, who are alleged to have taken a prominent part in the Chittagong raid.

In the Punjab, where the terrorists have been active for some months, the police have recently made arrests and obtained evidence which, it is hoped, will materially assist in disorganising the violence party and in unravelling several important outrages that have occurred within the past year.

It is of course too much to hope that these successes will bring the movement under effective control, for, owing largely to the unrestrained appeals made to youths for some months past and to the exaltation of assassins as national heroes, the terrorist party has obtained a large number of recruits, who must remain a source of potential danger.

4. The fortnightly reports so far received from provinces are on the whole reassuring. In Madras Civil Disobedience activities have become negligible and the movement in that province now may be regarded as having definitely failed. There are indications of waning enthusiasm in the United Provinces, but although the picketing of educational institutions has slackened, it is still causing trouble in one or two towns. The active assistance given by certain local authorities of the movement is a matter of some concern. There has been some improvement in Assam but there is still considerable interference with educational institutions, and the harm done is indicated by the fact that in two colleges alone more than 9,000 daily units of study have been lost. Bihar and Orissa continues to record steady and gradual improvement with increasing restiveness among cloth merchants against the Congress domination. The campaign against the payment of the Chaukidari Tax is being carried on in several districts and on one or two occasions it has been necessary to make a display of force in order to secure collections. The report from the Punjab is particularly reassuring. The movement generally has declined in vigour and with the exception of two or three districts has reached a stage approaching stagnation. Congress meetings are far less frequent and in a number of places Congress office have closed down. Whereas a few months ago loyalists were subjected to insult and abuse, they are now treated with respect. The number of prosecutions has much decreased, while the number of apologies is increasing. On the other hand, although a hard blow has been struck at the terrorist movement, there is danger of further outrages: the re-opening of colleges after the vacation which ends about the middle of this month may be accompanied by student agitation and efforts are still being made to foment Sikh discontent, although the Sikhs are unwilling to act in co-operation with the Congress. In Bombay city the labour situation is steadily growing worse. More than 45,000 mill-hands are now out of work, and although the local Government are doing their best to send them at Government expense to their homes in the districts, many of them are unwilling to return, as harvest operations are now well advanced and there is little work for them to do. A minor clash occurred between the police and a party of mill-hands during the week. In Gujrat the position shows little change. In one district a growing tendency towards violence in manifest and there have been three attacks on the police. In spite of recent improvement in the situation in Gujrat, the recent elections to the legislatures resulted in a very small proportion of the total number of votes being recorded for non-Muhammadian seats. In the South of the Presidency the local Government are taking vigorous action against the organised defiance of the forest laws. Following the declaration of various associations as unlawful, action has been taken to break up the camps of volunteers and this has led to clashes between the police and villagers who in several places have abandoned all pretence of non-violence.

**The following is appreciation of the situation up to September 13th :—**

1. (a) *Tribal*.—Except at head of the Kurram valley border and tribal areas of North-West Frontier Province have remained quiet throughout week and there have been no fresh developments of any importance. Discussions between friendly Mohmand assured clans of Peshawar district border and Upper Mohmand hostiles have not led to any result. So-called "Khilafatist lashkar" is moving about in Afridi Tirah endeavouring to impose tribal punishments on Maliks or sections who are considered to have given insufficient assistance during last Afridi incursion. One or two Maliks have had their houses burnt or been forced to pay fines, but lashkar was unable to get any change out of Zakka Khel or Kuki Khel sections and was even refused admittance to Kuki Khel villages. Air reconnaissance over Tirah and Upper Mohmand country were fired at on several occasions. Attendance at usual Friday *Jirga* at Bagh on 12th September was comparatively small. "Chitral reliefs" are in progress. Column arrived Dir 12th September without incident.

Hostile activity on Upper Kurram border has continued unabated. In spite of repulse of lashkar in Kharlachi area on night 5th September hostiles continued for some days longer to occupy old positions on border and kept up steady fire on our Militia Post and picquets till silenced by gun fire. On night 6th September they twice delivered strong attacks against our positions on both banks of Kurram River but were beaten off. On both occasions they came to close quarter and Militia used bombs. Meanwhile there were clear indications of fresh hostiles concentration in Peiwar area and on 7th September Military authorities took over control of defence of Upper Kurram Valley. Troops under command of Major General Coleridge were moved up from Kohat with guns. Hostiles in Peiwar area had occupied UTSAR and other commanding positions and fired on our patrols on evening 7th September. Intermittent sniping continued on both fronts for couple of days but by evening 8th September situation in Kharlachi area was quiet and considerable portion of lashkar had withdrawn. Cessation of hostilities in Kharlachi area was, however, signal for increased hostile activity in Peiwar area where hostiles occupying positions on boundary line maintained well directed fire against our Militia post and picquets. Reconnaissance aeroplanes were heavily fired at and during night 9th September parties of hostiles crossed border and came to close quarters with our picquets at two points. They were beaten off. By 10th September hostiles were estimated about four thousand strong and still receiving reinforcements. Their positions were shelled on afternoon 10th and again during night. Heavy firing continued throughout night and all day 11th. On night of 11th hostile parties again crossed border and made attempt to come to close quarters. Fairly heavy sniping continued till about mid-day 12th. Since then there has been period of inaction and sniping has practically ceased. It is reported that an emissary from Kabul has arrived with orders from King and P. M. for immediate cessation of hostilities. On other side of Kurram Valley air action has been continued against Khani Khel and Khwajak sections of Chamkannis who still remain obdurate.

(b) *Interval.*—About three thousand persons attended meeting held after Friday prayers on 12th September in Qasaban mosque at Bannu. Objectionable speeches were made and revolutionary cries raised. Chief speaker was Bannuchi Mulla who was recently released on apology after arrest under Criminal Law Amendment Act. He has been re-arrested.

2. As was anticipated in last week's appreciation, the general trend of public opinion outside Congress circles regarding the breakdown of the peace conversations is to lay responsibility on the Congress leaders. There is wide recognition of the fact that their demands were not only unreasonable, but that, quite apart from constitutional issues, they are incapable on financial and administrative grounds of being translated into practice. The absence of anything in the nature of a practical constructive programme shows how divorced the Congress are from the everyday affairs of administration, especially in the provinces; for the acceptance of their proposals would condemn the reformed provincial Governments at the commencement of the new constitution to a financial stagnation and would deprive them indefinitely of the means of carrying out a progressive policy in the fields of education, medical relief, scientific agriculture and other beneficent activities. The Congress claim the right not only to prejudge the decisions of Parliament in regard to the constitution but also the right to determine in advance and without examination the policy of local Government in matters of vital concern to them. The same arrogance is manifested in matters affecting the freedom of individuals, for their proposal that picketing should continue even after the Civil Disobedience Movement is abandoned represents action in restraint of trade which would prejudicially affect the interests of thousands of Indian traders without any limit of time. The trading community are realizing to an increasing extent the significance of Congress tyranny and this particular threat is likely to hasten the inevitable revolt against their methods.

Moderate opinion is rallying in support of the Round Table Conference as the agency through which practical issues can be examined and discussed in an atmosphere of reason and good-will.

3. In the meantime, there is still change in the aims and methods of the Civil Disobedience Movement. The steady and unremitting pressure exercised by local Governments, combined with the exasperation that Congress action is causing in many quarters, is robbing the movement of its influence and force. In most provinces, there is a progressive decline in enthusiasm in places where Congress activities were prominent early in the campaign, and in places to which the movement has recently extended, vigorous action has more rapid and effective results

than similar measures had a few months ago. At the same time the necessity of such action is increased by the growing tendency especially in rural areas, for the rank and file to resort to violence. Several instances of this kind have recently occurred. In the Central Provinces, where the breach of forest laws made a wide and natural appeal to a large proportion of the rural population, the profession of non-violence has been frequently ignored and the use and show of force have been necessary to restore authority. Indeed the Congress have long ceased to confine their subversive efforts to classes and communities in regard to whom there is even a remote prospect of non-violence being observed. A few weeks ago Congress agitators stirred up the Gonds, one of the most backward and ignorant tribes in India, to carry out organised defiance of the forest laws. As an immediate result the Gonds forcibly resisted the arrest of one of their leaders. Clashes occurred between them and the police in which a constable was killed, several others were injured and the police were compelled to fire. More than 40 Gonds have been arrested and the Gond population of this particular district is still in a disturbed condition. In the Satara District of the Bombay Presidency the same causes led to a concerted defiance of authority over a considerable area, and it was necessary to march in a considerable force of police in order to bring the situation under control. Those concerned in this disturbance admitted that they had been entirely misled by Congress agitators. There have also been sporadic resorts to violence in Gujrat in connection with elections to the legislative bodies. It is part of the Congress programme to boycott these and their methods have gone far beyond those of possible persuasion, even in centres like Surat where the Congress organisation is supposed to exercise discipline over its followers. The success achieved by the Congress in the boycott of the elections has varied greatly in different places. Broadly speaking, Muhammadans have made it clear that they will not tolerate interference in elections to seats reserved for the community, and the Congress have wisely left them alone. In regard to non-Muhammadan seats, the success of the Congress has been most marked in some of the Gujrat districts, where comparatively few of the Hindu voters have gone to the polls. Similarly there has been much local variation in the strength and success of the educational boycott. The two provinces most affected at present appear to be the United Provinces and the Central Provinces, where some colleges and schools are still affected; but in the former provinces there has been a revolt by the students themselves, and generally this part of the Congress programme has done them more harm than good by arousing the hostility of parents. It is definitely on the decline and is likely to fail within the next few weeks. With its failure the main activities of the Congress will probably be the boycott of British goods and the no-tax campaign, the latter being exploited in order to enlist the sympathies of the rural classes. Attempts may be made to revive breaches of the salt laws.

**The following is appreciation of the situation up to September 20th :—**

1. (a) *Tribal*.—Hostile activity on Kurram border has entirely ceased since 12th September and all tribes on North-West Frontier have remained quiet throughout week. Air action against Khani Khel and Khwajak recalcitrant sections of Chamkannis has continued and has now had desired effect. Khani Khel section has come in to Parachinar and has agreed to surrender 32 rifles and 16 hostages and Khwajak Khel section has asked for cessation of air action to enable them to do likewise. Chitral Relief column reached Drosh 17th September without incident. Mohmands and Afridis still continue propaganda in Tirah.

(b) *Internal*.—Wazir situation in Bannu district still requires careful watching. Meeting was advertised for 14th September at hamlet near Nurar but Wazir and Banmuchi maliks took steps to prevent holding of meeting and troops which had been sent out returned without incident. Similarly Wazir maliks prevented further meeting which was announced for 17th September. Mulla who made objectionable speech at usual Friday meeting outside Qasaban Mosque of Bannu on 19th September was arrested. Elsewhere nothing to report.

2. So far as specific incidents are concerned, the week has been comparatively quiet. A collision occurred between the police and a crowd of Congress supporters in the Bulandshahr district of the United Provinces: the police had to fire in order to stop an attack on a Police Station, and in the affray a Sub-Inspector lost his life. The fortnightly report for the first half of September from the same Province records several other instances in which violence has been used. It also observes that the type of Congress volunteers has deteriorated and now largely consists of

out-of-work tenants and other persons of even lower status, brought in from the villages. The breach of forest laws in the Central Provinces and in the Southern Districts of the Bombay Presidency gives cause for less concern than a few weeks ago. In both provinces vigorous action has been taken with excellent results. A recent report received from the Bombay Government relating to the efforts made by Congress during the latter half of last month to capture labour in Bombay city shows that these met with very moderate success and that there are diverse influences at work which are likely to prevent anything in the nature of a serious labour movement in favour of Congress. The number of unemployed mill-hands continues to increase, although perhaps not so rapidly as was apprehended. The local Government have under examination the question of repatriating some of them, but there are various difficulties which complicate the problem, and in so far as the appreciation of September 6th suggested that the local Government had reached a decision on this matter it requires correction. Elsewhere the labour situation is generally satisfactory.

3. In last week's appreciation reference was made to the attempts of the Congress to boycott the elections to the legislative bodies. During the week elections were held in Bombay city and the methods adopted by the volunteers brought them into collision with the police on several occasions, but no serious incident occurred. The activities of the Congress in connection with the elections provide yet another instance of interference with the rights of individuals, and has not been without effect in strengthening the conviction, which is steadily gaining ground among the public, that whatever may be the precepts of the Congress, their practice represents an arrogant contempt both for private liberties and for the interests of parties and classes who do not share their views. Another device adopted by the Congress in some places is to put up as candidates for the legislative bodies persons of the lowest castes, their object apparently being thus to bring discredit on the legislatures. They have not attempted to reconcile this policy with their professions of solicitude for the depressed classes. One local Government reports that there is reason to believe that a secondary object is to blackmail other candidates into making contributions to funds of Congress by buying of the latter's nominees. In spite of the various devices adopted by the Congress, it may now be assumed that, apart from the absence of Congress representation, the constitution of the various legislative bodies will be little affected. In this connection it may be observed that the Civil Disobedience Movement has conspicuously failed to impair the working of the Legislative Councils or the administration by Ministers of transferred departments, except in so far as it has weakened the financial resources of Provincial Governments both by reduction of revenue and increase of expenditure, the unfortunate consequences of which have been seriously to curtail the beneficent activities of Local Governments to the grave injury of the public.

4. The prospects that public opinion will play an effective part in the disruption of the Civil Disobedience Movement are now better than at any time since the Movement began. There are unmistakable signs that popular resentment is increasing in various directions. The intransigent attitude of the Congress leaders during the peace conversations and their disregard for the sufferings of others have strengthened the position of Government supporters and have shaken the confidence of many Congress followers. The methods of domination which have been the outstanding feature of the Congress programme, have aroused the apprehensions of minority communities and have stiffened their opposition. The attempted boycott of educational institutions has created a reaction among parents and students. The boycott of foreign goods and the widespread loss it has caused to Indians are gradually but surely alienating from the Congress the sympathy of an important section of the Hindu middle classes on whose support the Congress programme largely depends. Lastly, the impression produced by propaganda disseminated by Congress agents claiming an assured success for their programme and their early accession to power is rapidly evaporating. It may still have ephemeral effect in some rural areas, but it is not a factor which will seriously postpone the inevitable collapse of the movement. The unscupulous nature of this propaganda may be illustrated by certain features of the breach of forest laws in the Central Provinces. In several districts the tale was deliberately spread that the British Raj had ceased and that Mr. Gandhi had given the forests to the people for their free and unrestricted use. The result was that the people did serious damage to the forests until prompt action by the local Government convinced them that the British Administration was functioning. With their disillusionment on this point the main influence of the

Congress disappeared. Similarly, the latest fortnightly report of the North-West Frontier Province records a general improvement in the situation due largely to the fact that the people are now convinced by hard fact that the stories of the collapse of British power are mythical. At the same time, the influence is increasing of the supporters of law and order. Most Provincial Governments report the growing success of counter propaganda by both official and non-official agencies. Many are now giving their active and open assistance to Government, who a few months ago were content to remain, if not neutral, at least inactive. Broadly speaking, the public are now in no doubt as to the ultimate issue and the psychological advantage, which this gives to Government is a factor of great and growing importance. One natural effect is to direct greater attention towards constitutional methods which it has been the consistent policy of Government to encourage all parties and communities to adopt.

5. It is not to be assumed from what has been said above that the Congress have exhausted their capacity for mischief. Their leaders have declared their intention to carry on the Civil Disobedience Movement with unabated vigour, and there is no reason to suppose that they will not attempt to give effect to their intentions without regard to the evil consequences to the country. There are already signs of a recrudescence of the salt campaign and efforts will doubtless be made to stir up rural areas where conditions are favourable to non-payment of Government dues, and sporadic trouble may occur in consequence. Endeavours will also be made to maintain and even lighten the boycott of foreign goods. It is also possible that the Congress will try to whip up flagging enthusiasm by the adoption of new devices, although so many have been tried and failed that their ingenuity will be put to a severe test. On the whole, while there is good reason to take a sanguine view of the future, there is no justification for any relaxation of effort.

**The following is appreciation of the situation up to September 27th :—**

*Tribal*.—All Tribes have remained quiet throughout week. Khani Khel and Khwajak sections of Chankannis on Kurram border have made complete submission and have deposited rifles and given hostages demanded. Military have handed back control in Kurram to Political authorities. Chitral reliefs have been carried out and column reached Dir 26th September on return march. Kurram reports some indications of renewed unrest among tribes on Peiwar-Kharlachi border. This coincides with fresh phase of internal activity in Tirah where self-styled Khalafatist party among Afridis is advocating further hostile action against Government.

*Internal*.—Bannu reports arrest of one Mulla Ataullah who left Bannu for Waziristan some months ago for Congress propaganda among tribes. Elsewhere nothing to report.

2. The fortnightly reports received from the provinces for the first half of September testify to the decline in Civil Disobedience activities. In Madras they are stated to be unimportant. Bengal reports that the general improvement has continued and that although the situation is still not normal and the disaffection of certain classes shows little change, there are definite signs that the public recognise that Government are determined to retain control and that the Civil Disobedience Movement is failing. There is growing resentment against Congress interference with ordinary life and as a result increasing acquiescence in the return to normal conditions. In the United Provinces Congress activity shows no fresh vitality, and many district officers indicate distinct proofs of a growing lack of interest. Many districts in the Punjab report complete freedom from agitation and the attempt of Congress to interfere with elections has caused much resentment in quarters ordinarily sympathetic. From Bihar and Orissa comes the report that the appreciations of district officers are distinctly more optimistic than hitherto. There are fewer Congress meetings and smaller audiences, and the same indication of flagging enthusiasm is reported from other provinces. Distinct signs are evident of growing reaction against Congress tyranny and of a realisation that the Civil Disobedience Movement is tending only to chaos. Assam has very little to report in the way of agitation. The Legislative Council, during their recent session, gave their support to the measures which the local Government have had to take. There has also been a general improvement in the Central Provinces where the main trouble now arises from open and violent defiance of constituted authority in a few districts. Occurrences of this kind are rare, but they illustrate the unscrupulous manner in which Congress workers have played on the ignorance and superstition of primitive tribes.

Several of the provincial reports refer to the weakening and even open defiance

of the boycott of foreign goods, and since these reports were written the movement of revolt has gained in strength. In many places existing stocks of foreign cloth are being openly sold. The extent to which they will be replaced by new stocks remain to be seen.

3. The above estimates of the situation by local Government do not represent any disposition to underrate the will or the ability of the Congress to do further harm to the country. Nor do they indicate any tendency to relax vigilance and counter-efforts. On the contrary, there is agreement among provincial Governments that the capacity for mischief is not exhausted and that it is as necessary as ever to combat the movement. The justice of this view is shown by the occurrence during the week of three serious collisions between the police and the supporters or dupes of the Congress. The first occurred in the Central Provinces, where a party of Gonds again offered violent resistance to the police, who were compelled to fire. The second occurred at Moradabad in the United Provinces in consequence of the forcible interference by Congress volunteers with the polling for an election to the Legislative Council. A mob invaded the Town Hall, pelted the police with brickbats and in spite of repeated warnings refused to disperse until fire was opened. Information has just been received of a third clash. This occurred in the Colaba district of the Bombay Presidency and from the information at present available appears to have been due to an attack by a mob of forest Satyagrahis on the police who again had to fire.

Full details of casualties in these three incidents have not yet been received, but it appears probable that the number of deaths will exceed 20 and that the number of injured will exceed 100.

It cannot at present be said whether these occurrences represent a growing tendency towards deliberate violence or whether they are only sympathetic of a decline in the discipline and quality of Congress volunteers. It is, however, quite obvious that in each of these three instances Congress workers deliberately engaged in activities and created conditions, which any man of ordinary common sense and prudence who professed the principles of non-violence would have eschewed as certain to provoke results directly opposed to his professions. The tragedy of this and similar incidents is that the victims are only too often the ignorant and credulous who have been misled by lying misrepresentations and by promises known to be incapable of fulfilment.

4. His Excellency the Viceroy in a statement issued on the 13th of May last made the following reference to the Civil Disobedience Movement :—

"So long as those responsible for it refuse to recognise realities, and proceed as if all that was necessary was to break the law regardless of the consequences such action must entail, so long will they be postponing the very things that they profess to desire for India, and that others, who do not share their reluctance to see facts as they are, might by this time have gone far to achieve. No more severe condemnation has ever been passed upon any persons than that in which it was said of some that they entered not in themselves and them that were entering in they hindered.

The truth of these words is further illustrated by the attitude of the Congress towards those representatives of various parties and communities who consider that they can best serve their country by following constitutional methods and by assisting at the Round Table Conference towards a solution of India's problems. A concerted attack has been made on them in the Press and by various associations sympathetic to the Congress. The latter have gone further and are organising demonstrations and processions urging not only the boycott of the Conference, but also of the delegates. Apart from the futility of these proceedings, they involve a provocative challenge to those who differ from the views of the Congress and particularly to the minority communities who are determined to represent their cause at the conference. This latest example of Congress intolerance is not likely to do their cause much good.

**The following is appreciation of the situation up to October 4th :—**

*N. W. F. P. Tribal.*—All tribes have remained quiet throughout week. Chitral reliefs have been completed without incident and relieved column arrived Chakdara 3rd October. Full Afridi jirga of all sections was to be held at Bagh October 3rd at which it was to be decided whether or not the tribe should come down to Jamrud for jirga with Government on October 7th. There is nothing to report regarding the internal situation in the Province.

2. Brief mention was made in last week's appreciation of a clash between the

police and forest *satyagrahis* in the Colaba District of the Bombay Presidency. Subsequent information shows that for some time past local Congress Committees have been organising the wholesale looting by the people of forest products, and on several occasions they were successful in doing considerable damage to the forest. Towards the end of September a small party of police and forest guards arrested a number of leaders who had engaged in these lawless activities, but were met by a mob of about five thousand who surrounded them in a narrow valley and from the hill-sides above threw boulders and large blocks of wood on to them. They also attacked with scythes and hatchets. The police were compelled to open fire and killed several of the rioters, but three of their number and a forest guard were brutally battered to death and a revenue officer was accidentally killed by his own friends. This incident illustrates the almost inevitable effects of appeals to the avarice and credulity of ignorant villagers and both in the Bombay Presidency and the Central Provinces has been the deliberate policy of Congress associations to instil into the people of rural areas a spirit of lawlessness that can only result in violence. The Government of the Central Provinces have recently referred in a public statement to several instances of this kind that have occurred in various districts, all of which illustrate the pernicious effect of Congress doctrines on the aboriginal population. In appealing for the support and co-operation of the public the local Government observe that there can no longer be any doubt in regard to the effect of the Civil Disobedience Movement in encouraging a state of general lawlessness. There has been no serious recrudescence of breaches of the salt law such as was threatened—and evidence is increasing that it is the intention of the Congress to devote the main efforts towards a campaign for the non-payment of land revenue.

3. The past two weeks have been marked by the failure rather than the absence of attempts to commit terrorist crime. Outrages have been attempted in Bengal, the United Provinces, the Frontier Province and in the Punjab and in practically every case the intended victims have been members of the police. In several cases innocent members of the public have been killed or injured, and although no fatalities have occurred among the public, several have suffered injuries. In the Punjab two outrages which might have had serious consequences have been attempted within the past week. The first occurred at Rawalpindi when a bomb was thrown in the middle of a party of fifty police, but providentially did not explode. The second was a daring attempt at Lahore to kill the Indian Superintendent of Police who was engaged in the investigation of the Lahore Conspiracy Case. A number of revolver shots were fired at his car at short range and two of the occupants were injured. More than thirty outrages have occurred in the Punjab in less than a year and, although a number of arrests have been made within the past month, it is clear that the terrorist movement is still active.

4. Reference was made in last week's appreciation to attempt by Congress to boycott not only the Round Table Conference but the delegates who have accepted invitations to attend. It was anticipated that their attitude would cause resentment among those communities and classes who are determined to represent their case before the Conference. This anticipation has been realised. Three meetings at Bombay have been broken up by supporters of the delegates whom the meetings were held to condemn and the Muhammadans and the depressed classes have made it clear that they will not tolerate interference in this matter by the Congress. In consequence of their attitude the War Council of Bombay were prudent enough to abandon a demonstration of protest which they had arranged to hold against a number of delegates to the Round Table Conference who sailed from Bombay on October 4th.

5. There has been little change in the economic situation. The monsoon has on the whole been good and harvests are above the average. Prices of agricultural produce are, however, very low, and there will be difficulties in marketing the jute and cotton crops which in different parts of India are the crops on which the cultivator mainly depends in the autumn harvest. The effect of world factors has been aggravated by the disturbance of trade and the sense of insecurity caused by the Civil Disobedience Movement and the return to normal conditions is likely to be gradual. In the meantime, there are signs of a revival in some directions and the movement towards freedom of trade among dealers in cloth is steadily gaining ground, especially in Northern India where local Congress organizations have had to admit breaches in the general policy of boycott.

**The following is appreciation of the situation up to October 11th :—**

*Internal.*—There are some signs of recrudescence of Red Shirt movement in Charsadda area of Peshawar district.



2. The provincial reports for the second half of September for the most part record continued improvement in the general situation. This is particularly marked in Madras, Bengal and the Punjab and in the first named province the civil disobedience movement has now practically ceased to exist. In the United Provinces there has also been an improvement, but activities in some districts have made it necessary for the local Government to declare unlawful a number of local associations. Agitation is reported to be on the decline in the Central Provinces and the breach of forest laws in now on a much smaller scale than a few weeks ago, although a further clash with the police arising out of this form of lawlessness has been reported. The picketing of liquor shops is almost in abeyance, but as in several other provinces, one result of the crusade against licensed shops has been an increase in illicit distillation. Bihar and Orissa continues to record steady improvement, but the prevalence of illegal activities in some districts necessitates arrests on a considerable scale. On the other hand, the number of those who offer apologies is increasing and this feature is common to most provinces.

The boycott of foreign goods is the main plank of the Congress programme and in Bombay attempts are being made to extend picketing to provision and other shops. The revolt of Indian dealers is growing and several provinces report that foreign cloth is being sold openly in many places. But, so far as the purchase of new stocks is concerned, there has not yet been a definite break-away from the boycott in large distributing centres where trade conditions remain in a deplorable state.

During the week there has been some talk in Congress quarters of an attempt to set up in some directions a parallel system of Government. The idea appears at present confined to the institution of Committees of arbitration in civil and criminal cases, combined with social pressure when recognition is not given to these so-called Courts. A similar experiment was tried during the non-co-operation movement in 1921-22 and definitely failed. There is no reason to suppose that if it is repeated it will meet with any measure of success, and it appears not improbable that it has been put forward at this stage as a spectacular move which may revive flagging interest.

3. Unlawful Association Ordinance was promulgated during the week and confers powers by which Government can occupy land and building used for the purpose of an association that has been declared unlawful and can forfeit moveable property used for the same purpose. It also contains a provision making membership of an unlawful association a cognizable offence, and this is now operative throughout British India. The provisions relating to property have been extended in the first instance to the Bombay Presidency only and the local Government have already taken action under it in Gujarat and the suburban districts of Bombay. The Ordinance should be of special value in dealing with the situation in Gujarat where the conditions are in some ways peculiar. The support there given to the movement in its early stages was more on a mass scale than elsewhere and the Congress succeeded in establishing a firm hold in many villages of the districts concerned. Their headquarters are often established in the finest house in a village and serve as centres from which volunteers and other workers incite the people of the countryside to commit breaches of the law and to refuse the payment of land-revenue. For some weeks past a vigorous campaign has been in progress to persuade the people not to pay the next instalment of land-revenue. The declaration as unlawful of the associations responsible for these activities and the occupation of the headquarters of the more important of them should have a salutary effect on the situation.

4. Judgment was pronounced during the week by the Special Tribunal consisting of 3 High Court Judges constituted to try the Lahore Conspiracy Case and included sentences of death on 3 of the accused. Pronouncement of the sentence was followed by demonstrations in Lahore where the police had to disperse bands of students and hantals and meetings were also held in several other towns. Whatever may be the motive which prompts these demonstrations they can hardly fail to give encouragement to the terrorist movement.

**The following is appreciation of the situation up to October 18th :—**

*Tribal.*—Afridi jirga has still failed to materialize. Tribal jirgas dissolved on 16th October after three days' heated discussion. Hostiles apparently persisted in their previous attitude that no jirga should leave Bara with authority to represent whole tribe except with their permission and on their terms. Latest reports are to the effect that parties of Maliks and Elders have reached Chora in Bazar valley. Simultaneous-

ly other parties presumably hostiles were observed moving down Bara valley towards Maimana. Brigade from Bara fort advanced morning 17th October to point near left bank of Bara fort. No opposition was encountered.

*Internal.*—Attempts were made during week to institute campaign of picketing liquor shops in Peshawar city. Picketers who appear to have come for the most part from Charsadda Tashil were arrested as they appeared. Otherwise conditions in Settled Districts are quiet.

2. Prompt action has been taken in the Bombay Presidency under the Ordinance promulgated on October 10th last. A large number of organisations that have played a prominent part in Civil Disobedience Movement have been declared unlawful and the police have occupied the headquarters of the more important of them. In Bombay City the authorities have taken possession of Congress House which has been the centre of lawless activities for some time and a number of persons have been prosecuted. In Gujrat the main headquarters of the Civil Disobedience Movement have been occupied and a number of local leaders arrested. The arrangements have been carried out without the occurrence of disorder, although there have been hartals and meetings of protest. There has also been considerable talk of measures to counter the action taken, among which have been mentioned the general defiance of Ordinances, the withdrawal of post office savings, encashment of Government paper, social boycott of Government officers and members of Legislative Bodies including their excommunication from caste. The boycott, it has been suggested, should be further extended to persons connected by business relations with any delegate to the Round Table Conference. Small war councils are to take the place of large organisations and special attention is to be paid to the non-payment of taxes. Most of these devices have already been tried and there is little that is new in the proposals. While it may be assumed that efforts will be made to maintain and increase enthusiasm, the immediate result of action under the Ordinance has been definitely to discourage the movement. The campaign against the non-payment of land revenue will not, however, be lightly abandoned. In this connection, it may be observed that Pandit Jawahar Lal, President of the Congress, who has lately been released from imprisonment, gave special prominence to this item of the Congress programme in a recent speech and foreshadowed the extension of the campaign to districts at present unaffected. He is also reported to have urged his audience not only to pay no taxes to the British Government, but also to do without any services they may render. As one commentator has shrewdly pointed out, the two parts of the proposition hang together, for the people are unlikely to pay twice over for the same services—a consideration likely to operate with great force against any scheme of parallel Government. Other activities to which the President of the Congress attached great importance were the breach of the salt law and the boycott of foreign goods. In regard to the latter, he made it clear that the Central Congress Organisation disavowed the action of those local Committees that had permitted the sale of existing stocks and that it is insistent on complete boycott despite the financial ruin in which thousands of Indians will be involved. The piece-goods merchants of Bombay, having failed to obtain any concession from Congress Headquarters, reopened the market for the sale of the existing stocks, but on the persuasions of Congress volunteers they closed it again and the position there remains as it was.

3. Apart from events in the Bombay Presidency, the week has been comparatively quiet. There has been a collision between the police and large crowd of primitive villagers in the Seoni district of the Central Provinces. The incident arose out of an attempt to defy the forest laws and the crowd tried to overawe the police. Generally, however, the forest *Satyagraha* is declining both in the Central Provinces and Bombay Presidency, and Government dues are now being paid in several districts where they were refused a few weeks ago. Sporadic trouble is still liable to occur. Evidence from various sources confirms the decline of popular enthusiasm and the growth of dissatisfaction against Congress methods. A sure sign of decreasing interest is the growing tendency for convicted persons to obtain remission of their sentences by offering apologies and pledges of future abstention from lawless activities. In Bengal alone more than 2,000 prisoners have been so released.

4. Following the pronouncement of judgment in the Lahore Conspiracy Case an attempt was made on the life of a European Sergeant of police in Lahore and there is reason to believe that the terrorist party in the Punjab are planning further outrages. There has been some rerudescence of speeches inciting to violence and a section of the press is extolling the convicts as heroes. Following the attempts on the lives of a European police officer and his wife in Bombay a number of youths

have been arrested who are alleged to belong to a youth association recently formed. Generally, there are indications that the extent of terrorist activities will be limited only by the vigilance of the authorities, and in this connection it is reassuring that during the past few months several hard blows have been dealt at the organisation in several provinces.

5. Despite the efforts made to belittle the Round Table Conference and to hold up to contempt the Indian delegates who are attending it, there is increasing recognition of its importance. India is getting tired of continuous unrest and commotion and very many Indians, belonging to all classes, look with hope to the Conference for a solution of present and future difficulties. They realise that the Indian delegates are inspired by motives at least as patriotic as those of persons who have refused to co-operate and they accordingly resent the abuse to which the delegates are subjected because they have chosen to follow constructive methods. The feeling that the Conference should be given a fair chance may be expected to extend and there can be no doubt that great interest will be taken in its proceedings by persons of all schools of political thought.

**The following is appreciation of the situation up to October 24th :—**

*Tribal.*—Combined Jirga of Afridi Maliks and Elders numbering some 1,500 persons arrived Jamrud on 18th October. They were interviewed by Political Agent on 19th and following day. While Jirga was in session hostile elements congregated round Tongi and Kadam a few miles south of Jamrud awaiting result of negotiations. Political Agent explained to Jirga Government's determination to project British border for future from incursions based on caves in Khajuri and Aka Khel Plain. Jirga were asked if they had any suggestion to put forward to this end. Elders and Maliks however declared themselves incapable of providing solution. Negotiations have, therefore, so far proved inconclusive. Meantime troops are engaged in examining Terrain, and daily reconnaissances have been conducted from advance camp west of Bara Fort. Beyond some long range sniping no opposition has been encountered.

*Internal.*—Attempts to arouse fresh interest in Congress activities in Peshawar City continue and daily during week small parties of youths demonstrating in front of liquor shops were arrested as they appeared, otherwise there is nothing to report.

2. The Bombay Government have continued to take action against the bodies declared to be unlawful associations and in Bombay City it has been necessary on several occasions to disperse gatherings held in defiance of orders. In Gujarat there has been no opposition to the action taken and arrears of land revenue are being paid more freely. The continued prospect of sporadic disorders in rural areas is illustrated by an occurrence in the Nasik district where primitive villagers have been incited to break the forest laws and refuse payment of grazing dues. One of the tribes concerned worked to a state of excitement by misrepresentations that the forthcoming census was a plot against them and angry that money-lenders who had advised them not to pay grazing dues had themselves paid, proceeded in large numbers to two villages in each of which they beat village officers and other Government servants. They then gathered on a hill armed with spears, swords and other weapons and refused to disperse, defying the police to disperse them. Stone throwing then ensued in which several police were hit and after repeated warnings it was necessary to open fire. The District Magistrate has since marched through the affected area and grazing fees are being paid up.

3. The provincial reports for the first-half of October show that the previous improvement in the situation was maintained during this period. In Madras it is now necessary to file very few prosecutions while apologies on the part of those already convicted continue to be made. In the Central Provinces also there has been a fall in the number of prosecutions and the decline in the intensity of the Civil Disobedience Movement is marked all over the province. A satisfactory feature is that the aboriginal population though still unsettled in one or two districts show signs of return to a normal frame of mind and measures are being taken completely to restore confidence. The number of convictions in the United Provinces continues to be high. The release of Pandit Jawahar Lal Nehru who has since been re-arrested and of several other leaders was the occasion for demonstrations and processions, but despite the temporary impetus thus given the general decline in interest was maintained. The Punjab reports that the declaration as unlawful associations of all Congress Committees in the province has been well received by the law abiding classes and has had satisfactory effects. The demonstrations in several

cities following the judgment in the Lahore Conspiracy Case were on a considerable scale and were characterised by very objectionable speeches. As the Local Government observe, they have clearly shown that the anarchist party has at its disposal a large amount of pliable and inflammatory material and it is probable that there will be an increase in terrorist activities. The political minded Sikhs are still divided in regard to co-operation with the Congress, but one section of the extremists has decided in favour of doing so and has formed an association to agitate for the reduction of land revenue and canal dues with the intention of instigating a general refusal to pay land revenue if their demands are not met. The community as a whole is little affected. The most satisfactory feature of the Bihar and Orissa report is the marked decline in the number of prosecutions which indicates not only continued decline in public interest, but also a decrease in the activities of volunteers. This is noticeable in several other provinces and it is to be hoped that it marks further stage in the decline of the movement—namely increasing difficulty in obtaining active workers. In this connection it may be noted that while those leaders who have been released from imprisonment have shown no signs of moderating their programme but on the contrary have advocated further measures, such as the establishment of parallel institutions, several provinces including Bihar and Orissa report that the majority of the rank and file on release from jail have not resumed their activities. The campaign against the payment of the chowkidari tax in this province has proved generally unsuccessful, but in one district difficulty is being experienced in collections owing to intimidation by volunteers. Assam continues to report little activity. The Bengal report has not yet been received.

The position in regard to the boycott of foreign cloth is still unstable. Most provinces report that it is being sold openly in many places, but it is not clear whether the sales are of existing or new stocks. The Central Congress organisation has repudiated as unauthorised the arrangements made with dealers by some local Congress Committees by which sales of existing stocks were opened for limited periods and this action has increased the restiveness of dealers. In the main distributing centres there has not yet been wide-spread and open defiance of the Congress although there is reason to believe that in some of them, secret sales are being carried on. The piece-goods merchants of Bombay have rescinded the resolution passed earlier in the month to re-open sales, in favour of adherence to the boycott. The picketing of educational institutions has been definitely dropped from the civil disobedience programme in view of the small success attained and the large measure of resentment caused. In the Central Provinces where it obtained considerable support during the earlier stages colleges that had remained closed for some weeks were reopened without counter demonstrations.

The movement in favour of parallel institutions has not shown any particular development, but Pandit Jawahar Lall, previous to his arrest, is reported to have announced it as part of the future programme.

Economic conditions in rural areas continue to be a source of anxiety owing to the general fall in the value of practically every kind of agricultural produce. On the other hand the economic situation in Bombay City has improved and there has been a substantial reduction in the number of unemployed mill labourers.

**The following is appreciation of the situation up to November 1st :—**

1. (a) *Tribal*.—Week has been quiet on frontier, Afridi Jirga at Jamrud dissolved after being interviewed by Chief Commissioner. Result was inconclusive. Malikhs and Elders being unable to make any satisfactory suggestion for preventing incursions into Peshawar District via Khajuri and Aka Khel plains. Afridis are reported to be again holding tribal jirga at Bagh. Jirga assembled on Friday 31st October. Result of deliberations is not yet known. Snow has fallen in Tirah.

(b) *Internal*.—Several small parties of picketers were arrested during week in Peshawar City, otherwise there is nothing to report.

2. Bengal report for first half of October has been received since issue of last appreciation. It records a definite advance towards return of normal conditions, and in Presidency Division picketing of all kinds is reported to have practically stopped. Situation in rural areas has improved throughout province, but occasional attacks on parties of police are still made, and four of these occurred during fortnight in question. Bengal report confirms feature mentioned in last week's appreciation, namely a steady downward tendency in number of prosecutions. Unless there is definite recrudescence of activity, there is reasonable ground for hope that this tendency will now become more pronounced in most provinces, since one factor which has operated to prevent rapid improvement in this respect

is likely to have a diminishing effect. A characteristic of Civil Disobedience Movement has been local, though not necessarily prolonged enthusiasm in areas newly affected; but number of such areas and difficulty of dealing with them are now on decrease.

Action against unlawful associations continues in Bombay Presidency. On 26th October it was necessary to disperse gatherings in Bombay City which attempted to defy orders of Commissioner of Police. Situation in Gujerat continues to improve and there is less resistance to payment of land revenue but Congress workers are still reported to be carrying on active propaganda in some areas.

3. Early in week Delhi Police arrested an alleged revolutionary stated to be in possession of arms and materials for making bombs. Police officer who was instrumental in effecting arrest was fired at a few days later in public gardens of city. A second arrest was made on November first but details are not yet to hand. Otherwise week has been comparatively free from terrorist activity.

4. There has been no development of importance in political situation during period under report.

**The following is appreciation of the situation up to November 8th :—**

(1) (a) *Tribal Afridis*.—Afridi jirga met at Bagh on 31st October and deliberations continued till fifth November. Majority of tribesmen who attended are reported to have belonged to Mulikdin Khel and Kambar Khel section. Leading Malikis were apparently absent, but hostile party Elders and Government pensioners were represented. Only decision arrived at appears to have been that Elders should be entrusted with task of effecting settlement with Government. Letter was subsequently despatched to Assistant Political Officer by leading Malikis and Elders asking for further opportunity of discussing settlement with Government. *Mohmands*. Haji of Turauzai arrived in Gaudab on 30th October where he remained till 7th November. Malikis of assured clans were sent to counteract his activities in which they appear to have been successful as Haji left Gaudab on 7th without apparently having effected his purpose of embroiling friendly Mohmands with Government.

Propaganda is reported to be active amongst Mangals and Zadras, object being to stir up further attacks on Kurram. So far, however, efforts of agitators appear to have been unsuccessful.

(b) *Internal*.—Picketing of liquor shops in Peshawar city has been discontinued.

(2) Provincial reports relating to the second half of October do not show any great change in situation. In Madras number of prosecutions is now nominal and there is a steady flow of apologies from those previously convicted. In Bengal Civil Disobedience Movement shows diminished signs of life except for sporadic manifestations of lawlessness in a few areas, where there has been opposition to payment of the Chowkidari tax. There has been some slight interference with census operations. The United Provinces report that some of the leaders recently released from jail are abstaining from open activities which may render them liable to prosecution, and, while directing the movement, are leaving defiance of the law largely to women, boys and hired volunteers. There have been fewer meetings and demonstrations and picketing is less evident. The Punjab records same features and adds that audience have been smaller. General improvement in political situation has been maintained in that province, but low prices of agricultural produce are a cause of anxiety and depression.

The Sikh position remains confused. Since session of Congress held in Lahore last December, Sikhs have been pressing for inclusion of their colour in National Flag and some sections have made it a condition of co-operation with Congress. Matter has been raised on many occasions during past ten months, but Congress have now definitely declined to meet wishes of Sikhs at present time. Party which recently declared in favour of Congress has been attempting to arouse enthusiasm in rural areas by holding a series of meetings but reports of District Officers show that these efforts have so far met with no success, attendance being very small.

Bihar and Orissa reports show improvement. Picketing is spasmodic and mainly done by small boys and there has been no difficulty in collection of Chowkidari tax. Discipline in jails is rather better than it was but still unsatisfactory and this is true also of Bengal.

The Local Governments report unwillingness on the part of house-owners to lease their premises to Congress organizations.

3. There is little to record regarding civil disobedience movement during past week. There has been further defiance of orders of authorities in Bombay city,

resulting in clashes with Police. Stone throwing was started on one occasion which necessitated dispersal by Police which was followed in turn by persistent stone throwing from streets and houses. Ten Police officers and 14 men were injured and casualties among crowd are reported to be about 200, great majority of which are slight.

4. During past fortnight Delhi Police have had important successes in dealing with terrorist movement. These include discovery of very large amount of material which it is believed was intended for manufacture of explosives and which indicates that plans were in preparation for outrages on a large scale. On first of November a constable effected arrest of a suspected revolutionary in very gallant circumstances. Although fired on and brought to his knees by a bullet wound he continued pursuit and felled assailant with his baton. In Lahore two suspects fired on police but with out effect. Police returned fire and both were arrested, one of whom subsequently died of his wounds.

5. Effects of low prices of agricultural produce are becoming more pronounced. While generally harvest has been good, cultivator can only dispose of his produce at very unfavourable prices and in case of some crops supply is much in excess of demand. While, therefore, there is no question of famine conditions in sense of insufficiency of food there has been serious contraction in cash resources of rural population with prospect of further fall, involving depreciation in standard of living. Agricultural depression must seriously affect trade and industry in general and increase unemployment, but reduced cost of food grains is of assistance to certain classes in towns where economic effects are not yet so pronounced as in rural areas. Indeed, in Bombay city improvement in regard to mill labour is maintained.

The boycott of foreign goods does not show any marked change. Cloth is being sold freely in many places by retail dealers, who are making considerable profits but on smaller turn over. Wholesale dealers are observing Congress ban in some places and ignoring it in others, but there is general reluctance to buy new stocks on considerable scale, which is partly due to prospect of poor rural markets for reasons above given.

The following is appreciation of the situation up to November 15th :—

*Tribal Afridis.* As reported in last week's summary letter has been received from Malika and Elders asking for further opportunity of discussing settlement with Government. Reply has been sent that Government is prepared to meet Jirga on seventeenth November and discussions are expected to be resumed on that date.

*Internal.* There was some recrudescence of picketing in Peshawar City during week. As before, picketers who appeared in parties of two or three only were taken into custody.

2. Demonstrations in Bombay City appear to have been on a smaller scale than during the past few weeks, but it has been again necessary to disperse several gatherings and on two occasions there has been stone throwing by members of the crowd. In other parts of the Presidency the local Government have taken further action under the Criminal Law Amendment Act and have declared certain associations to be unlawful. In the Belgaum District action was taken against a village, the people of which are believed to have been responsible for the cutting of telegraph wires, stone throwing at passing motors and other acts of lawlessness.

In Gujerat there has been a definite improvement in the collection of arrears of land-revenue and many cases occur in which land revenue payers, while maintaining the pretence of opposition, make secret payments to the revenue staff. The organised refusal to pay Government dues is much less wide-spread than it was.

The fortnightly reports of the Central Provinces and of Delhi Province were received after the issue of last appreciation. For the Central Provinces the last fortnight of October is described as the quietest for several months, agitation has been on the wane generally, picketing of liquor shops has declined everywhere and has ceased entirely in two divisions. The breach of forest laws has been limited to a few districts, and cloth is selling more freely. Meetings have been fewer and speeches more guarded. The aboriginal tribes are settling down, and one of their leaders has recanted and is now carrying out propaganda on behalf of Government. Apologies before and after trial are more frequent, and this feature is common to many provinces. Apart from terrorist activities, of which mention has been made in previous appreciations, there has also been definite improvement in Delhi Province, where the situation a few weeks ago showed some signs of deterioration. Action taken against the local leaders and against several associations has had a

good effect and the supply of volunteers is reported to be running short. The Government of Bihar and Orissa report trouble at Jamalpur arising out of attacks on liquor shops by labourers employed on the railway. A series of incidents culminated on the 12th in the forcible rescue of prisoners from police custody and by an attack on the police. The police were forced to open fire, but the crowd continued to advance, and a number of policeman were injured and their ranks broken. The crowd in the meantime continued to stone them, and fire had again to be opened. In all there were three casualties among the crowd, of whom four were killed. Among the police 24 received injuries. No disturbance after the 12th has been reported.

3. The assent of the Governor-General has been given to a Bill passed by the Punjab Legislative Council which will, while adequately protecting the interests of the accused, facilitate the trial of persons accused of offences connected with the terrorist movement, by substituting trial by a tribunal of three members in place of proceedings before a Magistrate followed by trial by a Sessions Judge. The Bill follows closely the similar Act in force in Bengal, which was passed by the Provincial Council in March last and thus in both provinces the legislatures have shown their desire to support Government in reasonable measures against the terrorist menace. The Punjab Legislative Council, while leaving the main principles of the Bill unchanged, passed several amendments, all of which were accepted by Government, except one of which a modification was recommended to the Council by the Governor and then accepted. The Act will be in force for two years with power to the local Government to extend it for a further three years.

4. It is too early as yet to estimate the attitude of Indian public opinion towards the Government of India despatch on reforms, but whatever that attitude may be, there is no doubt that the Round Table Conference is attracting great interest in India and is directing a good deal of public attention towards constructive methods of obtaining a solution of constitutional problems.

#### **The following is appreciation of the situation up to November 22nd :—**

Reports from Provinces for the first-half of November show that the tendencies noticeable during the past two months still continue. Madras continues to be quiet and notes that the release of prisoners has so far had no effect on the situation. In fact very few have attempted to resume their activities. In Bihar and Orissa improvement continues and is reflected in the comparatively small number of convictions. There were, however, several cases of violence during the fortnight. Picketing has decreased in intensity, and persons arrested in connection with the Civil Disobedience Movement are showing less obduracy. Bengal Government has little to report. The general improvement has now extended to the few districts in which conditions gave some cause for anxiety and in Midnapore, which for some time has been a source of trouble, a sign of improving conditions is the return to duty of numerous village watchmen who had resigned. In the United Provinces agitation in the towns is on the decline and, except for occasional demonstrations, there is little activity. But efforts are being made by Congress emissaries to influence the rural areas, and advantage is being taken of the low prices of agricultural produce to incite tenants not to pay their rents. In this province the number of persons released on undertakings not to resume their activities is more than twenty per cent. of the total number of convictions. In Assam there has been definite improvement and picketing appears to have practically stopped for the time being. Delhi also reports that picketing is now less organised and effective than it was. The number of Congress meetings has declined, and this is true of most provinces. The fortnightly reports of most provinces mention, as a result of the lapse of Press Ordinance, the revival in certain sections of the press which organised encouragement of the Civil Disobedience Movement and persistent misrepresentations and abuse of Government.

The past week has been comparatively free of incident. Bombay City has been quiet. In Gujerat the situation gives less cause for anxiety and the movement is less widespread, but while there has been a general decline in active enthusiasm, this has been replaced in some areas by an attitude of passive resistance in which depression has replaced hope of success. The methods employed are with occasional exceptions non-violent, but thoroughly obstructive. Disgraceful scenes of rowdiness are reported from Karachi, but details are lacking. The celebration of "Jawhar Day" was held in many parts of the country. The demonstrations were on a comparatively small scale.

Developments at the Round Table Conference are being watched with the keenest interest by newspapers of all persuasions, the publication of the Government of India's despatch being followed by a more intensive discussion of the proposals lying before the Conference than has hitherto occurred. Indian Press opinion is dissatisfied with the Government of India's proposals. Some liberal newspapers consider that the despatch is an advance upon the Simon Report, especially in its appreciation of political tendencies and nationalist aspirations but they regard the advance proposed as inadequate and the general tendency is to criticise the proposals relating to the Centre and to safeguards. The attempts now proceeding in London to reach a settlement on communal issues are naturally followed with close interest. The developments in regard to Federation have so far attracted less attention than might have been expected, but they have already stimulated constructive thought and will, it is hoped, divert attention to an increasing degree from purely destructive criticism. Generally, there are indications of wider appreciation of the importance of the conference and of increasing hopefulness of a successful issue.

**The following is appreciation of the situation up to November 29th :—**

*Tribal Afridis*—Afridi jirga was interviewed at Jamrud on 17th November and following days and Malikis were also seen by the Chief Commissioner personally at Peshawar on 24th November. Jirga was fully representative and included Malikis and Elders of all sections. Government pensioners were also represented. Beyond suggestion made at previous jirga, viz., that of sectional responsibility, Elders had however no alternative to put forward to Government's measures on Khajuri and Aka Khel plains. Only addition to previous statement was that jirga might consider construction of some roads across plains, but only on condition of evacuation as soon as roads were constructed. No agreement being possible under these circumstances the jirga broke up. While the jirga was in session at Jamrud and subsequently, rumours were current that gangs were collecting in Tirah to attack troops in Khajuri plain. These rumours have not however materialized and beyond occasional sniping at night no hostile action has so far been attempted. *Internal*—There have been a few spasmodic attempts at picketing liquor shops in Peshawar. Otherwise there is nothing to report.

2. *Internal*—The reports from Punjab and C. P. relating to first fortnight of November generally confirm improvement recorded elsewhere. In former province the period was without incident, and in many districts there is complete absence of civil disobedience activity. The release of prisoners on expiry of sentences has not had any appreciable effect on situation. Sikh agitation in regard to Sisganj Gurdwara continues and at a recent Conference of various Sikh organizations a resolution was passed in favour of the boycott of foreign cloth and liquor shops and of picketing. There appears to be considerable difference of opinion as to whether these activities should be linked up with those of the Congress and feeling in the community as a whole has not been roused. On the other hand, the Sikhs are generally concerned in regard to their position under the new constitution.

The C. P. report further abatement in Civil Disobedience Movement, but observe that events connected with boycott of elections and auction sales of liquor shops show that it is by no means dead. In the Nagpur constituencies of the Legislative Council, the Congress succeeded in persuading the great majority of the voters from appearing at the polls.

3. The past week has been uneventful and there are no incidents or developments of importance to record.

4. The proceedings of the Round Table Conference have continued to attract great attention in the Indian Press and the feeling that developments so far are hopeful is widely expressed or implied. The presentation of India's aspirations by the Indian delegates is much appreciated, and in many quarters there is recognition of the sympathetic trend of British opinion. In some sections of the Press the dominant note is still one of scepticism associated with tendency to attribute to British delegates intentions and motives which are not apparent from their speeches. Anxiety is expressed regarding the course of the discussions regarding a communal settlement and critical examination of the federal idea is now developing. The disposition to explore the various avenues of approach to the general problem is more in evidence, but there is a natural reluctance to express even qualified approval of any particular scheme until its details are disclosed and the implications can be fully comprehended.



The following is appreciation of the situation up to December 6th :—

*Tribal Afridia.* Rumours still persist (vide last week's summary) of collection of gangs with intention of attacking troops in Khajuri and Aka Khel plains. So far however only hostile action which has materialised occurred on December the third when gang of about one hundred Qambar Khels followed up covering party in the Aka Khel plain while troops were returning to Camp at Miri Khel. Our casualties were one British officer killed and one British other rank wounded.

Fortnightly reports for the last half of November have so far been received from only three local Governments. In the towns of United Provinces agitation is more or less moribund. Meetings and processions have lost much of their previous attraction but boycott continues in sporadic form, and it remains to be seen here, as elsewhere, whether the expiry of the Unlawful Intimidation Ordinance will be followed by a revival of activities. Countryside is reported to have been little affected. Touring officers find the people friendly but very anxious about economic situation since producers are finding it very difficult to sell their produce—a feature common to most provinces. Considerable indiscipline in jails is reported and Assam mentions similar difficulties. The view of the Bihar and Orissa Government is that, while the Civil Disobedience Movement is becoming less intensive and less popular, there were definite indications during November that it was degenerating into violence. In this province there have been several incidents of late in which violence appears to have been premeditated, and reports from the Tirhoot division have been somewhat disquieting.

As noted below, the past week has witnessed sporadic acts of violence in several other provinces, and while it is unnecessary to assume that these are more than incidental features of the situation, they have been more in evidence than for some time past. The Assam Government reports that the improvement in the political situation has been maintained. Attempts continue to boycott Government educational institutions but Congress opinion in this matter appears to be divided.

In Bombay City there have been further deliberate attempts to defy the authorities with consequent clashes between them and the public in several of which there have been stone-throwing at the police. A violent assault is reported to have been made on a shopkeeper who opened his shop for the sale of foreign cloth, and a somewhat similar incident in Benares led to a collision between the police and volunteers. In Karachi there have been organised defiance of the authorities by the Congress and the Youth Association which appears to have taken the form of demonstration before the courts of local Magistrates and Judges. The police have had forcibly to disperse several gatherings.

There have been several terrorist outrages during the week. At Chandpur in Bengal an Inspector of Police was killed, the alleged murderers being subsequently arrested. In Cawnpore a party of police who were about to carry out a search for suspects were fired on by a youth and several of the party injured. The assailant was killed. There is now good reason to believe that the wrecking of a mail train which occurred in Burma about a month ago was the work of the Bengal revolutionary party and a number of arrests have been made in this connection.

The proceedings of the Round Table Conference continue to be closely followed by all who are interested in the political future of the country. The provisional classification of heads by Lord Shankey and possible methods of effecting federation are being critically examined in the Press and particular interest is taken in the status of India and in the form of Central Government. Hope alternates with anxiety as to the outcome of the Conference, but the feeling is growing that it represents a very important constructive effort to find a solution, and that it merits the good wishes of all who have at heart the interests of India.

The following is appreciation of the situation up to December 13th :—

2. When last week's appreciation was issued the reports of three Local Governments only for the last half of November had been received. Others have since come in. Bengal reports that in many districts conditions are approximating to normal, but that there can still be no relaxation of vigilance especially in those areas which were deeply inoculated with the views of civil disobedience. Some indications have been given of attempts to revive illicit manufacture of salt, but these have not matured. Later information indicates that during the past 10 days the situation in this province has shown signs of deterioration

and that attempts are being made to revive the Civil Disobedience movement in a considerable scale. In the Punjab activity on the part of the Congress lacked vigour and failed to obtain any appreciable response from the public. The extremist section of the Sikhs is still trying to cause trouble, but so far has achieved a very limited measure of success. The chief cause of anxiety is economic depression in rural areas.

In the Central Provinces the more important incidents were connected with the annual auctions of liquor licenses and organised attempts were made to interfere with these in several places. Thanks to the restraints exercised by the police anything in the nature of serious clashes was avoided. Forest satyagraha is reported to have ceased and picketing to be declining, but in regard to the latter a revival is apprehended as a result of lapse of the Unlawful Intimidation Ordinance.

The report of this province refers to organized propaganda in the Press to exaggerate every minor incident in which the police have had to interfere with Congress activities; the object being to make political capital and create feelings hostile to Government. This, of course, has been part of the Congress programme for months past, since their systematic attempts to undermine the loyalty of the police met with such signal failure. It is common to all provinces and clashes are often provoked with the deliberate purpose of giving publicity to grossly exaggerated accounts of the incidents in question. It is necessary to remember this, since there have lately been very definite indications that this particular form of propaganda is receiving special attention. It would be too much to expect that mass defiance of the law extending over 8 months and affecting at one time or another practically every part of India should have been entirely unattended by occasional instances of the use of force in excess of requirements; these have been singularly few in number and must be viewed in their proper perspective. There can be no doubt whatever that the outstanding features of the conduct of the police in combating a grave menace have been their devotion to duty, discipline and restraint in the face of almost continuous strain, provocation, abuse and social boycott.

3. In last week's appreciation mention was made of a growing tendency towards violence by followers of the civil disobedience movement. Further instances have occurred during the past week. A feature that has lately been in evidence in Bombay has been resort to violence by a section of the rowdy element of the city. The dispersal of unlawful assemblies that have deliberately defied the law for purposes of demonstration, has usually been carried out with very slight injuries to the persons concerned and violence on the part of those dispersed has been rare. Of late, however, the dispersals have been followed on several occasions by violence on the part of smaller parties who appear to have collected with this purpose, and it is in dealing with those parties that more forcible methods have had to be used. On one occasion this week, slings were used for throwing stones. Two Sergeants and five constables were injured and a severe assault was made on an isolated constable. A contributory cause to the growth of violence has been resentment with those who have broken away from the boycott and further assaults have occurred in this connection.

Boycott activities in Amritsar have for some time assumed a very objectionable form, and during the past week the methods of intimidation adopted by picketers have been the cause of collisions with the police.

4. While it is still possible to record gradual improvement in the situation as a whole, unfavourable reports have been received from several quarters. Deterioration in the tone of a section of the Press has been progressive since the Ordinance lapsed and it has been particularly marked during the past week or two owing partly to the re-appearance of certain extremist news-papers which ceased publication while the Ordinance was in force, but which have now resumed the violent writings which previously characterised them. Information from the United Provinces shows that the Congress are now organising on a considerable scale the no-tax campaign which they have threatened for some months past and that they are doing their utmost to use to their advantage unfavourable economic conditions. They have made some headway in several districts.

Bihar and Orissa reports that there has been intensive revival of picketing in some areas and that volunteers are announcing that the lapse of Unlawful Intimidation Ordinance marks the establishment of Home Rule.

These and other similar reports are a reminder that the civil disobedience movement, although checked in most districts and moribund in some, has still

the same programme and has considerable force behind it. The need for constant vigilance remains in order to prevent a dangerous revival.

In the meantime public attention continues to be directed towards the Round Table Conference. It is widely recognized that while its success will greatly improve the situation in India, and, it may be hoped, may bring an end to unconstitutional methods of agitation, any other outcome may involve the establishment of conditions giving cause for grave anxiety.

5. Full reports have appeared in the Press of the outrage committed in Calcutta in the course of which the Inspector-General of Prisons was foully murdered and another officer wounded. It affords further evidence of the danger of the terrorist movement and of the extent to which cult of violence has been adopted by a number of ill-balanced youths. It is very difficult to guard completely against outrages of this kind, but Government will take every measure possible to protect the lives of their officers and to stamp out a movement which can do only harm to the good name and interests of India. Although terrorist efforts have achieved isolated success, the efforts of the police during the past few months have done much to limit for the time being at any rate the activities of various revolutionary groups; but it should be recognised that the violence movement is a factor in the general situation which demands constant attention.

**The following is appreciation of the situation up to December 20th :—**

There have been further acts of sabotage in Bombay City the most serious of which occurred in connection with the accidental death of a volunteer who was attempting to prevent the conveyance of foreign cloth to a warehouse. The owner had applied for police protection which was given. Two lorries were conveyed without any serious incident but third lorry was surrounded by a crowd which began to throw stones. Some persons climbed on the lorry and assaulted the driver who was rendered unconscious. The lorry moved on out of control and knocked down a volunteer who subsequently died in hospital. The rumour was at once circulated that the man had been deliberately run over and that the police were responsible. No police were in fact on the lorry at the time but a sergeant jumped on it after the accident when he saw the driver was unconscious and stopped it. That evening and during the night there was wide resort to mob violence, the crowd invaded the hospital, seized and destroyed the Union Jack and put up the Congress Flag which was subsequently removed by police. The godown in which the foreign cloth was stored was broken open and five heaps of cloth were burnt on the public road before the fire could be extinguished. Damage was done to the extent of Rs. 14,000. Attacks were made on the police during the night. The next day a large procession was taken out with a view to conducting cremation ceremonies at a place not authorised for the purpose, the object being to excite the public feeling. This resulted in a further clash with the police. The above events and other incidents show only too clearly that resistance to the boycott on the part of dealers is being followed by the abandonment of the pretence of non-violence and the tendency towards the use of force which has been noticeable during the past few weeks and is increasing. In Ahmedabad a procession was formed with the deliberate intention of distributing grossly seditious literature and on refusal to disperse the police had to disperse the crowd by force after women had been arrested.

Information received from Bengal Government shows a definite recrudescence of the movement in Calcutta and several districts of Bengal of the terrorist movement and indiscipline in jails give cause for anxiety. The no-tax campaign in the United Provinces is being vigorously pursued. The deterioration of the tone of the press rapidly continues and while a large section of it encourages the civil disobedience movement, a smaller section is giving direct or indirect incitement to crimes of violence. Some anxiety is felt in the Punjab in regard to an outbreak of dacoities in the South Eastern Districts in which Hindu money-lenders have been the chief victims. There is nothing communal in them and the causes appear to be economic supplemented by the encouragement given to ordinary crimes by the spirit of lawlessness fostered by the civil disobedience movement.

The progress at the Round Table Conference is being followed with the greatest interest. The failure so far to reach an agreed settlement of the communal question is the cause of much disappointment.

**The following is appreciation of the situation up to December 27th :—**

The reports received from Provincial Governments for the first-half of December show that in most provinces the period was marked by attempts to intensify various activities of the civil disobedience movement. Bengal records a revival of the movement in Calcutta including renewal of picketing and also increased activities in some districts. In the Hoogly district, for instance, a vigorous no-tax campaign is being carried on by volunteers from Calcutta and other places outside the district. In the places affected by this revival the situation has deteriorated, but in other districts there has been no change of any importance. In the United Provinces the efforts of the Congress are mainly directed towards the organization of a no-revenue and no-rent campaign, and they are doing their best to exploit general agricultural depression. There have been several cases of violence, in one of which a loyalists' meeting was attacked by volunteers, who had to be dispersed by firing. Apart from the above factors the situation has shown little change. In the Punjab there has been no particular change in the Sikh situation. Attempts have been made in some places to revive agitation, and there has been some recrudescence of picketing but not as yet to any serious extent. The Congress organisation at Amritsar is reported to be still strong and to possess sufficient resources to carry on a widespread campaign of extortion. The revival of activities has been particularly marked in Bihar and Orissa where in several districts there has been a general increase of interest in the civil disobedience movement, which has taken the form of more picketing, revival of false rumours calculated to increase excitement and unrest and encouragement of non-payment of taxes. There were instances of violent resistance to the police. The Central Provinces also record attempts to revive waning enthusiasm, although little success has been obtained. In Assam similar attempts were made without material effect. The situation in Madras continues very satisfactory.

2. On the 23rd of December the Governor-General promulgated two Ordinances, the first of which provides for the better control of the press and the second for the prevention of instigation to refuse payment of certain liabilities. The reasons necessitating this action were given by the Governor-General in the statements issued on promulgation of the Ordinances. It is only necessary to mention here that deterioration in the tone of the press has been very rapid during the present month and that there has been a very definite intensification of the no-tax campaign, especially in the United Provinces.

2. Bombay City has been comparatively quiet during the week. Reports from Gujarat show that there is still considerable migration from British territory to that of adjacent Indian States, which is partly due to organised intimidation of those who refuse to leave their villages. Several instances have been reported of damage to crops of those who prefer to remain in their homes. Reports have been received of rioting and disorder on a considerable scale in the Tharrawaddy district of Burma. The outbreak appears to have started on the 22nd of December when a mob of several hundreds attacked two villages and killed two headmen and a forest official. Parties of rioters attacked two more villages in the Insein district the next day and murdered one headman. That night they looted another village, including the house of the Station Master, and damaged the telegraph instruments at the Railway Station. The latest information received is to the effect that a forest Engineer has been murdered, that the disaffection is spreading and that Government buildings and property are being destroyed. It has been necessary to call out troops to deal with the situation, which has not yet been brought under control. The causes of the outbreak are as yet obscure.

4. A very determined attempt was made at Lahore on the 23rd December to assassinate the Governor of the Punjab, who had a providential escape. As he was leaving the Senate Hall of the Punjab University, a youth fired six shots at him at close range, causing two superficial wounds. An Assistant Sub-Inspector of Police and a constable were wounded, and the former subsequently died from his wounds. The Senate Hall was crowded and a European Lady Doctor who was among the audience, was wounded. The assailant, who is reported to be a youth of about 29 years of age, was arrested on the spot. The outrage has caused great resentment among all classes in the Punjab and various meetings have been held expressing condemnations of the terrorist movement. On the 26th December a bomb explosion occurred at the Delhi Railway Station. It appears that various articles were left in the Second Class Waiting Room and that when a attendant was removing

these a bomb fell out, causing injuries to three persons, one of whom is in a serious condition having lost both arms.

**The following is appreciation of the situation up to January 3rd. 1931 :—**

1. North-West Frontier Province. Tribal Afrids. No change.
2. The only provincial report so far received for the last half of December is from the Assam Government, which records a distinct increase in activities. The local Government have declared as unlawful associations the Provincial Congress Committee and the Provincial Congress Working Committee. A feature of the agitation is the attempt to stir up aboriginal tribes some of whom have lately begun to defy the forest laws. The local Government also mentions the deliberate distortion and exaggeration of ordinary incidents of routine jail discipline for purposes of propaganda. The report of the Bombay Government for the first-half of December quotes the view of the Commissioner, Northern Division, who has been lately touring in the Bardoli Taluka of the Surat District, that there has been little improvement in that area. He mentions a considerable increase in the number of threatening letters which are being sent to loyal village officials and Government officers, and notes that crimes of violence and arson are more numerous.
3. There has been mob violence on two occasions during the week in Bombay City, where the hooligan element continues to take an active part in demonstrations. On the first occasion a number of police were injured by stone-throwing and several private cars were damaged. Elaborate arrangements were made by Congress organisations to reaffirm at a number of places in the city the resolution of independence at midnight of December 31st. The authorities made counter dispositions and military assistance was invoked in aid of the civil power. The attempts to hold meetings and to form processions were prevented without much difficulty, but in early hours of the morning of the 1st January there were outbreaks of hooliganism in several places and motor cars were stoned. A hostile mob heavily attacked a police picket at the place where a short time ago a volunteer was accidentally run over by motor lorry as described in the appreciation for the week ending December 20th. The police were forced to open fire and several members of the crowd were injured, one of whom subsequently died. The funeral procession is reported to have passed off without incident.
4. The rebellion in the Tharrawaddy District of Burma is being brought under control and is no longer a cause for serious concern. The outbreak appears to have been carefully organised and had action not been taken promptly to suppress it, it is probable that the disaffection would have spread to other districts. Troops and Military Police have been in contact with the insurgents on several occasions during the week and have inflicted heavy casualties. The headquarters of the rebels and several of the leaders have been captured and, although it may take some time to round up the various parties, it is hoped that the rebellion has now been practically broken.
5. In the appreciation for the week ending December 20th, mention was made of an outbreak of dacoities in the South-Eastern Districts of the Punjab due to economic distress. Similar outbreaks have been reported from parts of the Buldana District of Berar, where about 25 villages are affected. The cause of the disorder is stated to be the inability of agriculturists and labourers to meet the demands of money-lenders owing to economic distress, and it has taken the form of thefts of crops and the looting of property of money-lenders and land-owners. Up to the 31st about 70 arrests had been made and vigorous action is in progress to prevent the spread of the disorder. These two cases, which have occurred in widely separated parts of the country indicate the disturbing effects of agricultural depression.
6. The above account of incidents that have been reported during the past week should not be taken necessarily to imply deterioration of a serious character in the general situation. As already mentioned, the fortnightly reports, with the exception of one province, have not yet been received, and until they are available, it is not possible to appreciate the situation as a whole. In the meantime there is no reason to regard particular incidents as of more than local importance.

**The following is appreciation of the situation up to January 10th :—**

Reports received from Local Governments for the second-half of December indicate that there was no marked change in the general situation either way during that period, but that attempts were made with varying success in a number of places to intensify civil disobedience activities.

In Calcutta the renewal of activities, which has been in evidence for several weeks, still continues and is mainly apparent in an increase in picketing, which has also occurred in parts of the Dacca Division. Three Districts report attempts to carry on a no-tax campaign, but the areas affected appear to be small and the results obtained do not give serious cause for anxiety. In the provinces as a whole and, apart from local exceptions, the authorities were able to check the recrudescence of agitation.

Reports from the Punjab continue to be good and in the great majority of districts the civil disobedience movement is inactive. The Sikh situation has also improved. Amritsar is still a strong centre of Congress activity, the power of volunteers is reported to be considerable and the fear of the methods of social boycott to be extensive. The Local Government report that the attempt on the life of His Excellency the Governor has aroused horror and condemnation throughout the province and that there is a distinct revulsion of feeling against the cult of the bomb and the pistol. The Deputy President of the Punjab Legislative Council has addressed a letter to the Governor at the instance of a large number of members asking for special session of the Council to be called to discuss the mode of dealing with the terrorist movement.

The chief feature of the United Provinces report is the continuance of the active campaign by the Congress against the payment of revenue which necessarily also affects the payment of rent. In the Agra district attempts were made to prepare two villages on the model of Bardoli and arrangements were put in hand to despatch a large number of volunteers from Headquarters. Prompt action frustrated these efforts. In another district the immediate result of the agitation was an attack by a considerable body of villagers on a body of police under the command of the District Superintendent. The attack was an obstinate one and the police had to fire. In a third district Congress agitation is said to have met with some results. Elsewhere there have been no particular developments. In the towns there has been less sustained activity, but some recrudescence of picketing in places.

In Bihar and Orissa the situation in the Saran district gives some cause for concern. The no-tax campaign is vigorous and there have been several outbreaks of violence, one of which occurred during the period under report and was characterised by a determined attack on the police. In other parts of the Tirhut division, firm action has improved the situation—but there is considerable activity of various kinds which has to be kept under control by counter-activities and which gives cause for anxiety. Elsewhere in the province the situation on the whole has been satisfactory—but local attempts have been made to revive picketing and the no-tax movement. Leaders are said to be staying in the back-ground and to be working through volunteers drawn from the lower classes, many of them ex-criminal.

The chief feature in the Central Provinces has been the attempt to organise a no-tax campaign on the Gujerat model. A Bardoli week was held for this purpose and attracted some attention in Nagpur district. In several other districts volunteers are active in furtherance of the campaign. There has been increase in picketing in Nagpur, but a breakaway from the boycott is reported from another town. The situation on the whole has changed little—but there are indications of greater activity. Delhi records definite deterioration mainly owing to an increase in picketing.

2. The above reports cover the period up to the end of December. Later information relating to the present week shows that in Calcutta picketing has definitely strengthened and that there has been deterioration in several districts of the Rajshahi Division owing to same cause. In Bombay City, there was a disturbance on the 7th arising out of the removal of foreign cloth from the bazar by Muhammadan shopkeeper. The crowd attempted to set fire to the cloth and lorry in which it was being removed. Picketing has also been renewed on considerable scale in Peshawar and Charsadda. Reports from Burma show that the object of the Tharrawaddy rebellion was to overthrow the established Government. Information obtained is to effect that secret preparations for it have been in progress for some time and extended much beyond a mere local rising. There have been signs of disaffection in other districts and although the rebels in Tharrawaddy itself have suffered severe reverses, there is danger of extension of the trouble.

During the week there was rioting in Rangoon between Burmans and Chinese.

3. Interest in the proceedings of the Round Table Conference has increased with the realisation that considered conclusions are now being reached. There is a wider feeling of hope that the Conference will achieve very substantial results.

**The following is appreciation of the situation up to January 17th :—**

There has been some trouble in Bombay City and two or three other places in the Bombay Presidency arising out of demonstration in connection with the execution of four persons who had been found guilty of the murder of two policemen during the riots at Sholapur in May last. The execution took place on the 12th and on that day a *hartal* was held in Bombay which was accompanied by acts of hooliganism necessitating dispersals of unruly crowds. Minor disturbances occurred in Poona and Belgaum, but there was no disorder at Sholapur itself.

Further demonstrations in Bombay were organised on a large scale by Congress organisations for the 16th. Elaborate precautions were taken by the Police and the information received up to date indicates that they were successful in preventing serious disorder. The High Court and other law courts were picketed and most of the mills were closed. Small parties had to be dispersed in various places.

A shocking tragedy occurred at Lahore in which the wife of a European officer was most brutally murdered and their two children seriously injured. Investigation into motives and previous history of accused is proceeding.

Further incidents of violence have occurred in Bihar and Orissa, and the Deputy Commissioner of Manbhum District reports a serious riot in which the Sub-Divisional Magistrate and the police were assaulted and the police had to open fire. Four rioters were killed and persons on both sides were injured.

Reports from Burma show that open rebellion continues in the Tharrawaddy District, but there has been no serious extension of the disorder to other districts, although the danger of this has not yet passed.

**The following is appreciation of situation up to January 25th :—**

The Declaration of policy made by Prime Minister on 19th January has overshadowed all other events and attention of India is directed towards his announcement and its effect on internal situation. In these circumstances appreciation is confined to this aspect of week's happenings. Except in Extremists quarters announcement has received a good Press and moderate opinion generally recognises the fact that the statement of intentions of His Majesty's Government has created a new situation in which all parties can co-operate in order to bring to fulfilment new constitution.

Nationalist Party in Legislative Assembly have accepted statement of policy as welcome and gratifying and approve of principles underlying it, subject to further consideration after details are evolved regarding precise form and structure and new Government. They urge a general political amnesty and appeal to Congress leaders to co-operate and unite with the rest of country in securing such modifications and improvements as may be found necessary.

Muslim members of Assembly acknowledge efforts of His Majesty's Government to meet in full political aspirations of India and accept necessity of certain safeguards during period of transition. They approve in particular of Prime Minister's announcement regarding guarantees for protection of political liberties and rights of minorities and ask that, failing an agreement between communities, His Majesty's Government should take special care that guarantees are substantive and effective. They appeal to all communities to secure a settlement by consent. They urge an amnesty and in particular release of particular leaders in order that maximum of good-will and co-operation may be obtained in the evolution of new constitution.

A meeting of Working Committee of All-India Congress was held during week to consider announcement, but in deference to a message received from Sir Tej Bahadur Sapru and Messrs. Sastri and Jayakar, Committee have suspended publication of resolution they had passed until Delegates return to India. They have announced that, in the meantime, Civil Disobedience Movement is to continue.

In order that Congress leaders may have fullest opportunity of examining new situation created by announcement and of reaching conclusions regarding their attitude towards further discussions of constitutional problems that will necessarily take place Government have released those members of Working Committee of All-India Congress who are undergoing imprisonment and also those who have acted as members of Committee since 1st of January 1930. No conditions have been imposed on release and Viceroy in a statement issued on 25th of January has made it clear that action has been taken in pursuance of desire that such peaceful conditions will be created as will enable Government to implement undertaking given by Prime Minister that if civil quiet were proclaimed and assured Government would not be backward in response.

Proceedings of  
The Legislative Assembly  
THE COUNCIL OF STATE  
and  
The Provincial Councils.  
July-Dec. 1930.



# The Legislative Assembly

The brief summer session of the Legislative Assembly, being the last session of the third Assembly, commenced at Simla on the 7th JULY 1930 in the Assembly chamber with Maulavi Muhammad Yakub, Deputy President, in the chair. The new members arrived quite early to find their seats. The seating was arranged according to party division: 22 seats were allotted to the Nationalist party, which was the official Opposition party, 16 seats to the Independents, 11 to the Swaraj party, 13 to the Central Muslims, 11 to the European group and the balance to non-party men and Government nominated members. The front bench seats were arranged on the Opposition benches as follows:—Mr. Jayakar, Mr. Neogy, Sir C. P. Ramaswami Iyer, Mr. Phookan, Mr. Jinnah, Raja Gazanfar Ali, Mian Abdul Haye, Mr. Shaumukham Chetty, Sir Hari Singh Gour, Mr. Jhangir Munshi, Sir Hugh Cocke, Sir Zulfiqar Ali Khan and Sir Abdul Qayum.

## OFFICIAL BILLS

On Sir George Rainy's motion the Negotiable Instruments Bill was referred to a select committee.

Mr. G. S. Bajpai introduced the Bill amending the Forest Act to regulate the import and transport of the 'kuth' root in the Punjab and the North-West Frontier from the adjoining Indian States from where it has been smuggled.

Sir Joseph Blore introduced the Bill to amend the Telegraph Act so as to enable the establishment, maintenance and working of wireless telegraphs on aircraft within or above British India or Indian territorial waters to be permitted by the rule.

Mr. Haig introduced the Bill to amend the Bombay Civil Courts Act supplementing the Bombay Act VII of 1930 and thus allow appeals from the decisions of subordinate judges of second class to lie to the High Court in cases where the value exceeds Rs. 5,000.

## SUPPLEMENTARY GRANTS

A supplementary demand of Rs. 32,000 in respect of the newly created Reforms Office was agreed to, Mr. Amarnath Dutt being the only dissident.

On Sir George Schuster's motion the House voted a supplementary grant of 15½ lakhs to be paid as compensation to lascars and their dependents for loss or damage caused by enemy action during the war, the payment of which was the first charge on repatriation receipts.

## INDUSTRIAL ACCIDENTS

After a short discussion the House carried the Government resolution recommending to the Government to examine the possibility of giving effect to the recommendations of the International Labour Conference concerning the prevention of industrial accidents and to report to the Assembly within 18 months.

## PUBLIC ACCOUNTS

Lastly the House discussed the report of the Public Accounts Committee for 1927-28 on a simple motion by the Finance Member that the report be taken into consideration. The House then adjourned till the 9th.

## ELECTION OF PRESIDENT

9th JULY:—The Assembly met on this day to elect its President. The house was full. Maulvi Muhammad Yakub, Deputy President, took the chair and four new members took the oath. Mr. U. N. Sen, who had taken the seat of Mr. K. C. Roy (resigned) was cheered as he took the oath. The others sworn in were Messrs. Bhattacharya, Venkatraman Iyengar and H. T. Sorley.

As the time came for the election of the President, Maulvi Muhammad Yakub vacated the chair and Mr. Jinnah, senior chairman, took the chair amidst cheers. The chairman announced the nominations received for Maulvi Muhammad Yakub and Dr. Nandlal. As he was proceeding to read, Dr. Nandlal rose to raise a constitutional point of order.

The Chair asked him to wait till the statement about nominations was made.

Dr. Nandlal then raised the point of order that the house was not properly constituted and could not elect a President as the Deputy President had taken the chair to-day and was not absent so that a chairman from the panel could not take the chair.

Mr. Jinnah ruled out of order the point of Dr. Nandlal.

Thereupon the latter rose to speak when cries of 'order, order' came from various directions. Dr. Nandlal said that he wished to examine the nomination paper of Maulvi Yakub and see whether he had been duly nominated.

Mr. Jinnah ruled this too out of order.

Thereafter the house proceeded by ballot to elect a President. This took half an hour at the end of which the result was announced as follows :—Maulvi Muhammad Yakub 78 votes and Dr. Nandlal 22 votes. Mr. Jinnah then adjourned the house till quarter to one to enable the Viceroy's approval being taken to the election. When the Assembly reassembled at 12-45, Mr. Jinnah presiding announced that the Viceroy had signified his approval to Maulvi Yakub's election. Maulvi Yakub then took the chair amidst cheers.

After a few felicitous speeches congratulating the President, the House adjourned.

### The Viceroy's Speech.

The following is the full text of His Excellency the Viceroy's address to both the Houses of the Indian Legislature at Simla on JULY 9, 1930 :—

"GENTLEMEN.—It is my first duty this afternoon to offer to the newly appointed President of the Legislative Assembly my congratulations on his election to that honourable post. I am confident that he will fill it with dignity and distinction and that he will have the support of all parties in the discharge of the duties that the House has entrusted to him.

### NO FURTHER EXTENSION OF ASSEMBLY'S LIFE

"I felt some doubt, gentlemen, whether it was in accordance with your wishes that a session of the Council of State and of the Legislative Assembly should be held this summer. In reaching my decision, I was influenced largely by the fact that apart from certain official and non-official business which it was desirable to transact, it seemed clearly right that members of both Houses should have an opportunity of discussing matters of public interest on which also I wished, before the Legislature was dissolved, to have the privilege of addressing you. This session will mark the close of the second Council of State and of the third Assembly which last has already been extended by two sessions beyond its normal term. In certain quarters a desire in favour of a further extension for the Assembly has been expressed and notice has been given of a resolution to be moved to this effect. After giving the matter my careful consideration, I came to the conclusion that it would not be right on general grounds to extend the present Assembly further and in consequence of this decision it appeared that the most convenient course would be to dissolve the Council of State in time to allow of the elections of both Houses to be held concurrently in September. This procedure I propose to follow. I realise that an election at that time will mean that those who have recently been successful in bye-elections can take part only in one brief session and that it may for climatic reasons cause inconvenience both to candidates and electors. I greatly regret that this should be so, but the usual date of elections is impossible if it is not to clash with the approaching conference in London and for those potential candidates who may in due course be invited to go to England for this purpose. September elections would, I think, be accepted as the most convenient.

### FRONTIER SITUATION

"The return of His Majesty's Legation to Kabul marks the re-establishment of normal relations between His Majesty's Government and Afghanistan and the end of a period of difficulty and stress. The situation on our north-west frontier which for some time was such as to give cause for anxiety, is now, I am glad to say, giving place rapidly to more satisfactory conditions. I wish warmly to commend the efforts both of leading residents of the province and of the official authorities to restore to the North-West Frontier Province the old relations of friendship and confidence between its people and Government.

"On the north-eastern borders of India, difficulties arose between the Governments of Nepal and Tibet over a question of nationality of an under-trial prisoner and

led to incidents involving very serious tension between them. The possibility of hostilities between these two countries, both neighbours of India, was not one which India could regard with equanimity and, with the consent of His Majesty's Government, special efforts were made to avert any such calamity. A friendly mission was despatched to Lhasa and acting on advice thus tendered the Tibetan Government took the steps necessary to remove the cause of friction. All is now well between the two countries and both have expressed their gratitude for the friendly action taken by the Government of India.

#### INDIANS OVERSEAS

"As hon. members are aware, two important questions relating to Indians Overseas have been engaging the attention of my Government for some time past. One of these arose out of the recommendations made by the Hilton Young Commission and by Sir Samuel Wilson regarding closer union in East Africa. The other concerned the basis of franchise under the new constitution in Ceylon. His Majesty's Government have recently announced their conclusions about both. I need not recapitulate them in detail as they have received full and wide publicity in India. But I wish to make a few observations on the points of outstanding interest to India that emerge from these announcements.

"As regards East Africa, the proposals of His Majesty's Government are to be referred to a joint select committee of Parliament. When this committee is set up the Government of India will intimate their desire to place it in possession of their views on those proposals that concern the Indian communities in these territories. The conclusions of His Majesty's Government that the official majority should be retained in the Legislative Council of Kenya and that the establishment of a common roll is the object to be aimed at and attained, are in accordance with the views consistently urged by the Government of India. Fears have been expressed in certain quarters that the scheme of closer union formulated in the White Paper may ultimately prove detrimental to Indian interests. I would, however, draw the attention of hon. members to the various safeguards provided in the scheme to protect racial minorities. They may rest assured that should it later be found necessary the requisite representations on the subject will be made.

#### INDIANS IN CEYLON

"The decisions of His Majesty's Government regarding the franchise in Ceylon recognise the claim of the Government of India to watch over the interests of Indian emigrants in the colony. Explicit renunciation of their protection by an Indian applying for a certificate of permanent settlement will not be required. There is no intention of repealing or amending to the detriment of Indians any of the laws of Ceylon affecting their position or privileges which they will continue to enjoy. As regards the future, the Governor will not be empowered to assent to any bill diminishing or abrogating these privileges unless he has previously obtained instructions of the Secretary of State or the measure contains a suspending clause. Fears have been expressed that the effect of these concessions will be neutralized by inclusion in the Order in Council of the provision that no holder of a permanent certificate, while registered as a voter, will be entitled to claim any rights, privileges or exemptions that are not common to all British subjects resident in the island. This provision in no way affects the assurance of His Majesty's Government that there is no intention of curtailing the special privileges that are enjoyed by Indians. There is no reason to think that by friendly negotiation between the Government of India and the Government of Ceylon, the retention of existing privileges and the extension to all Indians of concessions that the Government of India may be able to secure hereafter for Indians who do not enjoy the franchise by virtue of possessing certificates of permanent settlement, will not be achieved.

"Before leaving the subject of Indians Overseas, I should also like to draw the attention of hon. members to the fact that Ministers of the Union of South Africa have decided to postpone till the next session the bill to regulate the tenure of fixed property by Asiatics in the Transvaal which was introduced in the Union Parliament in May. This delay which we warmly welcome permits the hope that the provisions of this measure which, as you are aware, has caused considerable alarm among Indians in the Transvaal, may ultimately be adjusted to satisfy the legitimate claims of the Indian community.

#### INDIA'S POLITICAL DEVELOPMENT

"I must now address myself to the subjects which constitute the principal and

daily preoccupations of all concerned with the political future of their country. I desire to speak most frankly, for the gravity of the times requires that I should place all those who hear or read my words in full possession of my thought. I would remind you briefly of the background against which recent events are set. During the last half century the development of political thought in India has been a continuous process. Particular events, notably the war, quickened the pace with the result that the value of the Reforms of 1919, marking though they did a very definite new departure and affording wide opportunity for public-spirited men to serve their country, was in some quarters soon discounted in the forward movement of political opinion. One of the joint authors of those reforms had gained the confidence of political India in a way that it has been given to few British politicians to do. But even the position that Mr. Montagu held in Indian hearts did not suffice to protect from disparagement the scheme associated with his name. Many influences were at work, and of these the reforms were not the least effective to make it certain that the nationalist spirit in India would develop and that quickly and that such development would be sought upon lines that British experience and contact of the political classes with British education and practice naturally suggested.

#### DOMINION STATUS

"Outside India this movement was imperfectly appreciated and if in India criticism of that had occupied more place upon the stage than constructive thought of what might be, Indians might not, without some justice, reply that Great Britain, preoccupied as she is apt to be with pressing problems nearer home, had been slow to apprehend how rapid a transformation was passing over the Indian outlook. And so bred of impatience, on one side, and lack of appreciation, mistaken for lack of sympathy, on the other, suspicion grew, aggravating, as the years passed, the difficulty of bringing to bear on these matters from either side the dispassionate judgment that their complexity demanded. When I came to India, I came with one dominant conception of the work which, in this generation, any Viceroy must set out to try to do amid all his duties of administration as the head of a great Government. No Viceroy, as it seemed to me, could for one moment forget that the principal duty which he owed alike to those on whose advice he had been called by the King-Emperor to his office and to those whom, for five years, it was his duty and his privilege to serve, was to devote all his energies to the maintenance of a progressive, orderly and contented India within the orbit of the British Commonwealth. It is not necessary for me to recall the influences, naturally centrifugal, at work upon the other side. Differences, racial with all that they imply in distinction of thought, differences of religion affecting men's minds more profoundly, because their operation was more frequently in large degree subconscious, differences of environment and history—all these and many more combined to make the task of effecting and preserving true unity between Great Britain and India one which would strain the capacity of the best material on either side. And yet, I could feel no doubt that it was the one supreme purpose for which no effort was disproportionate. It was also evident that, looking ahead, it was hardly to be expected that India, sensitive of her self-respect and growing every year more conscious of national feeling, should of her own free will desire to remain indefinitely a partner in the political society of the British Empire upon terms which implied a permanent inferiority of status. It was for this reason and with the object of removing avoidable misunderstanding on this vital matter that His Majesty's Government last year authorised me to declare that in their view the attainment of Dominion Status was the natural completion of India's constitutional growth. That declaration was made and stands.

"His Majesty's Government simultaneously announced their intention to convene a conference as widely representative in character as possible in order that after the submission of the Statutory Commission's report the spokesmen of Great Britain and India might take free counsel together upon the measures which His Majesty's Government would later present to Parliament. That report has now been published and I do not think that any impartial reader, whatever may be his opinion upon the actual recommendations made, will deny that the Commission have made a weighty and constructive contribution to a most difficult problem. Great, however, as was its intrinsic value, greater must be the authority of the report. It was neither the desire nor the function of the Commission to anticipate the decisions of His Majesty's Government reached after a conference with representatives from India or of Parliament itself. Their task was described by Sir John Simon in the following words: 'No one', he said, 'should regard the Statutory Commission or its colleagues as though we were

settling and deciding the constitution of British India. Our task is very important, but it is not that. Our task is that of making a fair, honest and sympathetic report to the Imperial Parliament. When we have made our report, then it would be India's opportunity to make her full contribution, which is right and necessary, to her future constitution, which would be framed by Great Britain and India together.

'The duty of expressing an opinion now passes to the Government of India and just as the Commission would have failed in their duty to Parliament, by whom they were appointed, if they had not presented a report that reflected faithfully their own conclusions, so the Government of India would fail in their duty, if they similarly did not approach consideration of the Commission's report with a full sense of their own responsibility. We have not hitherto been able to do more than give preliminary and tentative examination to the report, and before reaching conclusions, I think it is right that I should have the opportunity of discussing the whole subject with some of those who can speak for non-official Indian opinion. I hope to have occasion to do this with some of the Ruling Princes and representatives of the States next week and I should propose also to invite representatives of different views and interests from British India to meet me for this purpose as may be found convenient.

#### CIVIL DISOBEDIENCE MOVEMENT

I am only too well aware of the degree to which a calm examination of these questions has been prejudiced by the events that have engaged public attention during the last few months. It will be remembered that following upon my refusal to anticipate the discussions of the conference, Mr. Gandhi, in spite of my declaration of the purpose of His Majesty's Government and of the free opportunity for mutual co-operation and accord which that conference was designed to provide, decided to launch a campaign of civil disobedience and proceeded to use his great influence to persuade his countrymen to adopt a course of open defiance of the law. Before this reckless plunge had been finally taken, I did my best to give a clear warning of the consequences that it must involve. But the warning fell upon deaf ears. That campaign has now been in progress for some three months and all of us, whatever be our judgment upon it, must be conscious of the damage in countless directions that has already been inflicted. Those who have identified themselves with this movement would have us regard it as a perfectly legitimate form of political agitation to which resort had been taken only under pressure of regrettable necessity.

I cannot take that view. In my judgment and in that of my Government, it is a deliberate attempt to coerce established authority by mass action and, for this reason as also because of its natural and inevitable developments, must be regarded as unconstitutional and dangerously subversive. Mass action, even if it is intended by its promoters to be nonviolent, is nothing but the application of force under another form and when it has, as its avowed object, the making of Government impossible, a Government is bound either to resist or abdicate. The present movement is exactly analogous to a general strike in an industrial country which has for its purpose the coercion of Government by mass pressure as opposed to argument and which a British Government recently found it necessary to mobilise all its resources to resist. Here it has been sought to employ more dangerous weapons even than this and the recent resolution of the All India Working Committee of the Congress, insidiously designed to seduce police and troops from allegiance, leaves no longer room for doubt of the desperate lengths to which the organisers of the movement are prepared to go and gave Government no option but to proclaim the body responsible for such a resolution as an unlawful association. He would in truth be a false friend of India who did not do his utmost to protect her from acquiescence in principles so fundamentally destructive.

#### RULE BY ORDINANCES DEFENDED

'I gladly acknowledge that there have been public men who in the face of strong opposition have not been afraid to condemn in unequivocal terms the civil disobedience movement. I could wish their example had been more widely followed. After all, is it not a very dangerous doctrine to preach to citizens of India that it is patriotic and laudable to refuse to obey laws or to pay taxes? Human nature is often reluctant to do either and if there is anything certain it is that if society is once thoroughly inoculated with these noxious microbes, the disease will perpetually recur until one day it paralyses the Indian Government of the future which by

these methods it is sought to bring into existence. It may not be long before Indian ministers are responsible, for example, for the assessment and collection of land revenue or other taxes. They would have little cause to thank those who had allowed the impression to gain ground that the withholding of payments due was a proper method of voicing general political dissatisfaction with the established ministry. Therefore, it is that I have felt bound to combat these doctrines and to arm Government with such powers as seem requisite to deal with the situation. I fully realise that in normal times such frequent resort by the Governor-General to the use of his special powers would be indefensible. But the times are not normal and if the only alternative is acquiescence in the result of efforts openly directed against the constituted Government of the King, I cannot, for one moment, doubt on which side my duty lies.

#### APPRECIATION OF POLICE FORCE

"I have never been blind to the fact that in the circumstances which we are considering there would inevitably be serious clashes between the forces of Government and that section of the public which supports the movement and that many persons would thereby unavoidably sustain physical injury from the first. Moreover, it was certain that during disturbances innocent persons must at times suffer with the guilty. Where this has been the case I deeply deplore it and tender my personal sympathy to those concerned, but it is necessary to consider where the primary responsibility rests. When the fire brigade has to be called in to extinguish a fire it frequently does serious damage but though the fire brigade does the damage none would suggest that it was responsible for the fire which was the original reason for its being called in. Least of all, when the fire was due to direct incendiarism. No good therefore is done by shutting our eyes as to where the original blame must lie and, whatever criticism there may be of those whose task it is to put out the conflagration, speaking generally, I have nothing but commendation for the servants of Government, both civil and military, who have been doing their duty with great steadiness and courage in conditions of the severest provocation and often risk to their lives. Several, I speak of the police, have been brutally murdered and in many cases they and their families are subjected daily to the grossest forms of persecution. I am glad to know that several local Governments have sanctioned for them allowances for the extra duties which they have had to perform and have not been backward in bestowing rewards for exceptionally meritorious service.

"The gravity of the movement does not, however, deflect my judgment on the question of constitutional reform by a hair's breadth to the right or left. Hon. members know that I am not fighting civil disobedience because I lack sympathy with the genuine nationalist feelings of India. I have never concealed my desire to see India in enjoyment of as large a degree of management of her own affairs as could be shown to be compatible with the necessity of making provisions for those matters in regard to which India was not yet in a position to assume responsibility. I am therefore bound in this time to keep two principal objective in the forefront of my mind and in this regard I wish to state my position and that of my Government in the clearest terms.

"So long as the civil disobedience movement persists we must fight with all our strength because whatever may be the spirit by which many of its adherents may be animated, I believe from the bottom of my heart that it is only leading many of India's sons and daughters in mistaken service of their Motherland unwillingly to expose her to grievous harm. On the other hand, so far from desiring to secure a so-called victory over a Nationalist movement, constitutionally pursued, I desire nothing more than to be able to help India, so far as I can, to translate her aspirations into constitutional reality.

"I would ask what fairer method could be devised for this than one by which all the various points of view can be sifted in discussion and where, not by majority voting, but by the influence of mind on mind in daily personal contact, a sustained attempt can be made to discover once for all the more excellent way in which Great Britain and India to the benefit of each other may walk together.

#### ROUND TABLE CONFERENCE

"The date of the assembly of the conference has already been made public and on behalf of His Majesty's Government, I am now able to define its functions more precisely. After very careful consideration His Majesty's Govern-

ment have reached the conclusion that it would not be right to prescribe for the conference any terms more limited than in my statement of November 1 last, and that the conference should enjoy the full freedom that those words connote. The conference accordingly will be free to approach its task greatly assisted indeed but with its liberty unimpaired by the report of the Statutory Commission or by any other documents which will be before it.

"It is the belief of His Majesty's Government that by way of conference it could be possible to reach solutions that both countries and all parties and interests in them can honourably accept. And any such agreement at which the conference is able to arrive will form the basis of the proposals which His Majesty's Government will later submit to Parliament. From such a definition of the scope of the conference it is clear that His Majesty's Government conceive of it not as a mere meeting for discussion and debate but as a joint assembly of representatives of both countries on whose agreement the precise proposals to Parliament may be founded. The conference will thus enjoy the unfettered right of examining the whole problem in all its bearings with the knowledge that its labours are of no academic kind and His Majesty's Government still hope that Indians of all schools of thought, whatever the attitude that some have hitherto taken, will be ready to share in this constructive work. I see no reason why from frank discussion on all sides a scheme might not emerge for submission to Parliament which would confound the pessimism of those who would tell us that it is impossible for Great Britain and India or for the various interests in India to reach agreement.

"My Government is anxious to render to the Indian side of the conference every assistance that it can and for this purpose has decided to place a secretariat at its disposal consisting of Sir Geoffrey Corbett, Mr. Latif and Mr. G. S. Bajpal whose knowledge of many different sides of administration will, I am confident, be of great value.

#### A PERSONAL NOTE

"Gentlemen, I have only a short time left of my official term of office and I would anticipate its end by concluding what I have sought to say rather as a friend than as Viceroy and Governor-General. As I look back over the time I have spent in India I can recall no occasion on which I have consciously sought to work for anything but India's good. I believe I can claim to have learnt something of the feelings that fill the hearts of many Indians of all classes and shades of thought, who have been good enough to extend to me a friendship which I shall hope to enjoy long after I have said goodbye to India and the present troubles are left behind. India is a country the scale of whose history and physical features alike condemn those who would take small views. The monuments with which her land is enriched attest the faith and perseverance of her master craftsmen and reprove those who would believe that any other qualities can serve the constitution-builder who builds not for himself but for futurity.

"I believe, as I have said often, that the right and the best solution of the riddle of India will be found only by Great Britain and India joining together out in the search. But this demands faith, the faith which we at times tempted to think only a miracle could now give in the measure dictated by our necessities : and many would have us believe that the age of miracles is past. Yet in India, more than elsewhere there is the capacity to apprehend the spiritual power by which things apparently impossible are brought to pass and I at least cannot doubt that could we but recapture the spirit of mutual trust between our two countries, we should in so doing liberate invincible forces of faith to remove those mountains which have lately hemmed us round.

"I am in a better position than others here to know the effect that would have been produced in Great Britain if the hand of friendship that she extended last November had been generously grasped in the same spirit by those who could speak for India. Many things said subsequently on both sides have been said differently or remain unsaid. New misunderstandings would have been avoided and the whole setting of the problem would have been favourable to a more just appreciation of the several points of views that have to be brought in harmony. It seems, therefore, an utter tragedy that at the moment when the chances of settlement were perhaps better than they have ever been and the stage was set for a free and unbiased consideration of the whole problem the party of the Congress should have thrown aside the finest opportunity that India has ever had.

"I would hope that it might yet not be too late for wiser counsels to prevail by

which all the political thought of India might be harnessed to the task of welding into unity the elements that composed her life and in conjunction with Great Britain devising the best means for giving constitutional expression to them. Thus two roads to-day lie open—one leading, as I think, to turmoil, disunity, disappointment and shattered hopes; the other guiding those who follow it to the India of our dreams, a proud partner in a free commonwealth of nations, lending and gaining strength by such honourable association. India to-day has to make her choice. I pray God she may be moved to choose aright."

### Assembly Leaders' Manifesto

The following statement on the Viceroy's speech was issued over the signatures of Mr. M. R. Jayakar, Mr. M. A. Jinnah, Sir Phiroze Sethna, member of the Council of State, Sir C. P. Ramaswami Iyer, Sir Cowasji Jehangir, Dewan Bahadur Ramaswami Mudaliar, Mr. G. A. Natesan, Mr. R. K. Shanmukham Chetty, Mr. H. P. Mody, Raja Ghazanfarali Khan, Mr. Fazal Ibrahim Rahimtullah, Mr. Muhammad Ismail Khan, Mr. U. N. Sen, Mr. B. Das, and Dr. Zia-uddin Ahmad, and other central legislators. The statement runs :—

"Much has happened in India since His Excellency the Viceroy issued his statement on October 31, announcing that a Conference would be set up in London at which His Majesty's Government would meet representatives of British India and the Indian States for the purpose of seeking the greatest possible measure of agreement with a view to placing final proposals before Parliament. This Conference, which is being arranged to take place in October next, is one fraught with important consequences and its importance has become all the greater after the publication of the Indian Statutory Commission's recommendations.

"These have not only failed to satisfy any important section of Indian opinion but are, in our view, calculated to hamper and handicap India in regard to the attainment of Dominion Status, the declared objective of most of the political parties in the country and the avowed ideal of Government.

"The publication of the Statutory Commission's report and the combined support accorded to it by practically all leading journals and newspapers in Great Britain as well as daily attempts to make that report the frame-work of all future constitutional changes, have created an intense feeling of dissatisfaction throughout India and we are therefore relieved to find from the pronouncement of His Excellency the Viceroy that the recommendations of the Commission will not be (as indeed they cannot be) either the last word on the subject or a necessary and inevitable basis of reforms.

"Pledged as the chief Indian political parties are to the achievement of Dominion Status for India, subject only to transitional safeguards, we are confident in the strength and justice of our case. Our demands would be irresistible when presented with a substantial degree of unanimity and that single-minded devotion to the highest interests of the country which the occasion demands.

"None of us can be fettered as to the course to be pursued in case the Round Table Conference does not yield such results as we hope for, and expect that nothing can be lost by participating in that Conference. No point of view need be given up save in so far as we arrive at mutual understandings and honourable compromises. We therefore feel very strongly that India should participate in the Conference and not lose or abandon this opportunity to come to satisfactory terms with the British Government.

"We are firmly convinced that it is the duty of Government and our countrymen alike to create that atmosphere of peace and concord which are essential to the consideration of matters so vitally affecting the future happiness and progress of our land. It must be recognised that effective co-operation at the London Conference of those organisations, like the Indian National Congress, which are now keeping aloof, will lend greater weight to its deliberation and add to its representative character.

"The policy of strong measures and repression on the one hand and the pursuit of direct action and open infringements of the law on the other, can only serve to increase the tension which is already so acute and so widespread. Neither policy can be an end in itself and can only be regarded as a manifestation of strength which may well be directed towards creative and nation-building efforts.

"At the present juncture we feel it to be our duty to urge on Government the necessity of repealing the emergency measures that have been recently enacted and



making an unequivocal offer of amnesty to all those who have suffered the penalties of the law for their political opinions or actions, but have not been guilty of any acts of violence. We simultaneously appeal to our brethren of the Congress and other allied organisations to terminate their programme of non-co-operation and civil disobedience and avail themselves of the present opportunity to make a concerted demand on Great Britain so as to attain that political enfranchisement as to whose fundamentals there is such unanimity and as to whose details we are hopeful of agreement as soon as our organised political parties realise the momentous nature of the occasion and the imperative need to make the best use of it."

### Debate on the Simon Report

*10th. JULY*.—The Assembly met on this day to initiate a discussion on the Simon Report. At the outset Sir Frank Noyce introduced a *bill amending the Benares Hindu University Act* for constituting 'inter alia' a standing finance committee of the university.

Sir George Schuster then moved for a supplementary demand for a grant of Rs. 2,65,000 in connection with the Round Table Conference expenses.

Mian Shah Nawaz (Central Muslim Party) moved a cut of Rs. 100. He said that the Simon Report was inadequate and unsatisfactory and declared that no constitution framed by any Commission or British Government would be acceptable which did not carry with that the goodwill of the Indian people as a whole. The outstanding features of the Report were the constitution proposed for the provinces and the centre and the proposals regarding the army. Mian Shahnawaz, continuing, said that while he welcomed a federation he held that the Commission should have recommended a legislative machinery for the Indian States as for British India.

The President.—Please confine your speech to the function of the Round Table Conference.

Sir George Rainy.—I will not take objection to any speaker referring to the Simon Report.

The President.—I suggest that, as there are two motions for grants, reference to the conference be made when the next grant is moved for expenditure in England. The present motion is for expenses in India.

Mian Shahnawaz. That, Sir, is a difference without distinction.

Sir George Rainy.—It is within the discretion of the Chair to allow discussion on any of the motions.

Sir C. P. Ramaswami Iyer :—These two grants are inter-connected and there should be no division in water-tight compartments.

The President.—If that is the general wish of the house I will let the debate proceed.

Mian Shahnawaz, proceeding, criticised the Simon Report and said that the proposal to include official ministers was entirely against the weight of the evidence before the Commission. Timorous and subservient Ministers as some of them already were, they would be overawed by the inclusion of official ministers. Similarly, the responsibility for the tranquility of the province must rest on the ministry and the Governor's over-riding powers should go, except as a protection for minority interests. He admitted the need for emergency powers in case there was a breakdown, but this power should be limited to 6 months instead of a year.

Mr. Jayakar, who had just entered the chamber, raised a point whether the merits of the proposals of the Simon Commission could be discussed. He held that while an incidental reference to the Report was inevitable the discussion to-day should be confined only to the Round Table Conference.

The President.—The Government has no objection to the Simon Report being dealt with.

Mr. Jinnah.—The point is not whether the Government has any objection or not. The Government may have its own object in not objecting to it. (Laughter.) We, on this side of the house, have the strongest objection to this procedure and ask for your ruling.

The President.—I have already given a ruling. The Chair cannot go behind it now. Messrs. Jinnah and Jayakar were not present when I ascertained the feeling of the house which was in favour of a discussion on the Simon Report.

Mr. Jinnah.—That was only an impression. But I assure you that it is not a fact. Your original ruling, I understand, was against the debate.

The President.—No, I did not give a ruling then. However, I would request the members to have a general discussion on the report and not go into minute details.

Sir George Rainy.—It is impossible not to make references to the Simon Report. If one speaker said the Report was thoroughly bad, it was equally open to another to say the Report is good or that he disapproved of a certain part. The Chair by its discretion can regulate the debate.

Resuming, Mian Shahnawaz said the proposals regarding the army showed an entire change of front compared with the position taken by the Commission on the army question in the first volume. He stood for the Sken scheme which should be put into effect.

After Mian Shahnawaz had proceeded further, Mr. Jinnah asked the Chair if there was no time limit.

The President.—I am afraid not.

Mian Shahnawaz.—There are some, Sir, who hold that this Report is unlookable and must be cast away. That is not the correct attitude. The Report is extremely disappointing, but must be discussed. He said that the control of the services by the Secretary of State was inconsistent with provincial autonomy, while indirect election for the Federal Assembly would kill the independence of the Assembly. He stood for full responsibility in the centre, excepting the Army, Foreign Affairs and Indian States. Referring finally to the Round Table Conference, he said that the Viceroy's speech had allayed the situation. They had an opportunity now to go to the Conference to ask for immediate Dominion Status, or with safeguards, or for the substance of independence. He felt the alliance between Britain and India would exert the greatest influence on the peace of the world.

Dr. Nandlal said the Government motion had confused two vital issues. He acclaimed the Viceroy's benevolent announcement of yesterday, but felt that there was no hint regarding the selection of the personnel. The Commission had taken away what India had, instead of granting more. The Hindus of the Punjab wanted a joint electorate and the Commission gave them separate electorates.

Mr. Jinnah said that if the Government wished a vote of the house on the Simon Report they should have tabled a motion asking the house to endorse the Report. He asked the Government: "Have you considered the Report and come to a conclusion? Has not the Viceroy said that the Simon Report was not the last word? Do you want us to discuss the various documents and schemes on this cut? What is the object of this most improper procedure that has been encouraged by the Treasury benches? So far as this cut is concerned it is moved to state that the Simon Report is inadequate and unsatisfactory and the only answer the house can give is to vote for the cut. (Applause.) Is the Government satisfied that the Simon Report is adequate? Why then waste the time of the house on such a motion? So far as the elected members are concerned they will record their vote that the Simon Report was not acceptable to us. They are not going to be side-tracked by procedure. Some genius on the Treasury benches perhaps liked to see a display of communal clash on the floor of this house. We are not going to show any conflict. (Cheers.) As regards the London Conference I am prepared to grant that it may break down, that our hopes may be shattered, but I cannot get over one strong argument that if I do not fight my case of whose justice and righteousness I am convinced, I shall not be doing my duty before the bar of world opinion. I shall place my case before the Conference and get a decisive verdict. If I fail it is open to me to adopt such course as the circumstances dictate. If I succeed I will have rendered the greatest service to my own people. I hold I must participate in the Conference, but I must give a warning to the Government to select the true representatives of India and play fair. May I ask why was the Government in a hurry to announce the selection of the three members of the heaven-born service to assist the Indian delegation? I have nothing personal against them, but you might have waited until the personnel was selected and those so chosen were consulted. I hope the Government will reconsider their opinion in this matter."

Mian Shahnawaz, on a personal explanation, said that he did not move the cut on any one's suggestion.

Mr. U. N. Sen, who was cheered as he rose to deliver his maiden speech, pleaded for whole-hearted support to the conference. The Simon Report, he said, had aroused a deep resentment instead of heralding a new era but the conference held out a hope. He strongly deprecated the idea of boycotting the conference which would

be held whether they liked it or not. He had enough confidence in leaders like Sir T. B. Sapru, Messrs. Jayakar and Jinnah going to London and fighting India's case. These leaders would present the case on India's behalf and perhaps also an ultimatum. He warned them not to treat the Simon Report as a scrapheap. It was having great support in London. That would have to be met. Finally, he paid a tribute to the indomitable courage of the Viceroy in dealing with the situation and urged the Government to give a clear indication of peace terms with Congress because he felt no scheme, however perfect, could have a chance of success if the Congressmen did not participate in the conference. He held that at a time when Britain was in such a strong and proud position she should make a generous gesture to win the hearts of India. He opposed the cut.

Sir G. Schuster referring to Mr. Jinnah's remarks assured him that the Government were not capable of such ingenuity as was attributed to them. (Applause.) The Government's only desire was that, as the subject raised a new issue which was not considered at the budget time, a debate could be held on the policy involved and while discussing the demand it was quite open to some members to say that before they gave consent to the grant they wished to state the conditions on which their vote was cast and in that manner they could make a reference to the Simon Report.

President.—I have given my ruling. I won't allow a lengthy discussion on the point.

Sir G. Schuster.—I only want to state that the Government did not intend to premature discussion.

Sir C. P. Ramaswami Iyer said that it would have been calamitous if the purpose of the London Conference was merely to discuss the Simon Report. That point was now cleared. Some might say that nothing would be gained by going to the conference. 'I hold that it is because I believe in the justice of our cause that I would go to plead it before a tribunal of impartial and fair-minded men and take their verdict'. (Voice from nationalist benches: 'They are not impartial and fair-minded.')

Sir C. P. Ramaswami Iyer: England is not so bankrupt in fairmindedness.

'Well, I may suffer disillusionment but I hold we have gained a point that the Simon Report would be in the same position as the Nehru Report or other Muslim Sikh demands. Having regard to this explicit declaration there is a great benefit in going to the conference which will fail if it is not fully representative. I would urge the Government to explore all avenues to secure Congress participation and co-operation. I tell Congressmen that if your programme is to make an exhibition of your strength you have done it by showing that the country to a certain extent is behind you'. (Col. Gidney: Question).

The speaker next referred to the Simon Report and said that the report had handicapped them by its decisions. For instance, no country could be self-governing without its own army. If the Commission had recommended a Dominion army to develop alongside the Imperial army to replace the latter, they would have no quarrel with the report. Similarly, they had neither put any proper scheme regarding the Indian States nor any well defined scheme of federal constitution. 'If this calamitous report was to be the chief material before the conference we would have had serious objection in going to the conference. But the Viceroy's declaration removed that doubt. Every effort should now be made to make the conference representative.'

Continuing Sir Ramaswami Iyer said that the country had recorded a singularly unanimous protest against the Simon Report. He did not wish to sacrifice that unanimity in the House and urged Mian Shah Nawaz not to press the motion.

Mian Shah Nawaz.—Why should I not?

Sir. C. P. Ramaswami Iyer: I am only making an appeal. I hope the hon. member is susceptible to an appeal. (Cheers.)

Mian Shah Nawaz.—I will consider that.

Mr. Misra felt doubtful about the usefulness of inviting Indian States' representatives to the conference when the States were so backward and strongly urged for the immediate constitution of an Oriya province.

Dr. Ziauddin generally attacked the report and showed the difference between the first and the second volumes. He particularly pressed the frontier question and pleaded for a proper solution of the defence problem.

Mr. Acharya condemned picketing and urged all parties to unite in obtaining self-government. He thought that civil disobedience had been started too prematurely.

Mr Yamin Khan dealt in detail with the Simon Report especially about the Frontier when the house adjourned.

11th. JULY :—Resuming discussion on this day, Mr. Yamin Khan criticised the Simon Report, especially regarding the Army, and affirmed that the London Conference must be attended by the real leaders of the people as, otherwise, it would become the laughing stock of the world and no conclusions would be arrived at. The real problem of India was the problem of the minorities. (Hear, hear) Therefore the representatives selected for the Conference should settle the details before proceeding to the Conference.

Raja Ghanafar Ali complained that there was no mention in the Simon Report of dominion status within a reasonable period and condemned the so-called provincial autonomy suggested by the Commission. He reiterated the Muslim demands and, proceeding, asked the Government to realise that, without Congressmen, the Conference would not be so representative as it would be with Congressmen. He averred that Mahomedans were more anxious than any other community to take their share of the responsibility for moulding India's destiny at the London Conference.

Mr. Ranga Iyer drew a parallel between the conditions in Ireland and in India and said that there would be no peace until a proper atmosphere is created for the conference. "Let me warn the Government that the Congress is growing in strength. Do not destroy the constitution and instal a revolution. The responsibility for that rests upon the Government if they do not rise equal to the occasion and make a peace treaty. I hope the Government will have wisdom and not sit like an ostrich."

Sir H. S. Gour referred to the Simon and Nair Reports and said that if only Indian revenues were vested to the Government of India instead of to the Secretary of State in Council, the whole problem would be solved, because the Government of India would then be bound to be responsible to the Legislature in India. Not only the Simon Commission did not agree with this view but suggested a retrograde step by removing the limitation upon the superintendence, direction and control of the Secretary of State which the Montagu reforms had imposed.

The report had also stated that the Fiscal Autonomy convention was a dead letter. Provincial dyarchy was maintained through the distinction of votable and non-votable. He, who would attend the Round Table Conference, should attack the Simon Report from all sides and show that it is unacceptable.

He said that the Government had shown enough proof of its strength and he now asked the Government to make every effort to secure co-operation and support for the conference of men, who hold the centre of the stage. Because whatever merits be agreed to by the conference, there would be recrudescence of unrest without such a peace. Let the Government show itself to be a National Government and make recommendations conducive to the welfare and happiness of the people.

Mr. Farookhi feared that the Government has killed the atmosphere for the London Conference by indulging in indiscriminate lathi charges on the crowd, often innocent, and by its rule of ordinances. The Government must try to convince the Congress that by attending the London Conference they would lose nothing. He quoted the Assembly resolution of 1924 embodying the national demand, as then voiced and pleaded, being supported by the Government of India at the Conference.

Sir Cowasji Jehangir attributed the present atmosphere as the direct result of Government's defiance of public opinion, as had been shown in the appointment of an all-white commission. This blunder could not be mitigated by the appointment of the Central Committee. As one associated with Englishmen all his life Sir Jehangir warned the Government not to defy public opinion any longer but to take note of the prevailing atmosphere.

The consequence of police excesses in Bombay has been that Bombay, which was well-known for loyalty, was now very disloyal and the Congress is gathering its adherents in thousands. At the same time the civil disobedience movement, he felt sure, was a foredoomed failure (cries, question) for it was based on wrong foundations. Hence his plea for co-operation with the Round Table Conference. But the success of the Conference would depend on the mentality of the statesmen in England. "May God guide them aright."

Mr. Ranganayakulu felt opposed to the whole demand, but if this was impossible he supported at least the cut. He joined issue with Sir Jehangir that the civil disobedience movement was a foredoomed failure and alluded to the bold

which the movement had on the people. The Viceroy has not satisfied India by his speech as to the bonafides of the Government here and in England.

He severely criticised the Government propaganda for the Simon Report and asked, why then try to make out that it was not the last word on reforms?

He feared that the London Conference might proceed on the Simon Report. Mr. Jinnah or Mr. Jayakar should not go to the Conference unless assured that Dominion Status will be framed there. Concluding he alluded to the police excesses in Andhra districts including the ban on Gandhi caps in Guntur.

*Sir Hugh Cocke*, leader of the European group, said that there was good material in the Simon Report, which would be exceedingly useful when they meet the Round Table. He assured the House of the co-operation of the Europeans. "Whatever might have been the position in the past", he continued, "there are to-day no die-hards among the Europeans in India (applause). Our object is to assist India to get a suitable constitution and if any degree of unanimity can be reached at the conference, our representatives will do their best to press those recommendations on the authorities in England. I do not see any reason why, having regard to the spirit which exists, we should not reach an agreement. The die-hards in England, who have not been here or left India years ago, are not going to dictate to India, provided we come to a reasonable solution of the various problems."

Sir Hugh Cocke said that if the Simon recommendations were carefully examined it would be found that perhaps many of them were most suitable.

Finally, Sir Hugh Cocke said that if possible the Congressmen should be brought into the Conference. "The first move must, however, come from those who started the movement. I feel quite sure that the Government will not be able to resist any approach from them or resist the desire of responsible men to get into touch with the Congress leaders at present in jail and see if they can be brought round. I hope the Government will make it easy for them to get into touch with those leaders, for if the Congressmen do not go, it will be said afterwards that the agreement is not acceptable as a large section of Indians were not present. This should be avoided, if possible, and those who have influence with the Congress Party should do their best to bring them to the Conference" (applause).

Mr. *Harbilas Sarda* described the report as a vicious document, deserved to be burnt. The Commission never visited Ajmere-Merwara and yet decided that in future that province should have nominated instead of, as now, elected members. That itself showed the inimical character of the report.

The Assembly at this stage adjourned till next day to conclude the debate.

#### Police terrorism in Contai & Midnapur

12th. JULY :—Mr. K. C. Neogy, resuming the debate on this day, said that the Viceroy had emphasised his determination to fight the civil disobedience movement. "I have no other desire except to uphold law and order", said Mr. Neogi, "and have nothing in common with civil disobedience, but if Government must fight it must fight clean. The Home Member contradicted Sir Cowasji Jehangir's statement yesterday that innocent persons were deliberately assaulted. I declare what Sir Cowasji said was quite true. It is happening not only in Bombay, but all over India. The Home Member has either his eyes shut or is incompetent to hold the present office. This is nothing but the spirit of Dyer or the spirit of Jallianwala Bagh, that is stalking the land to-day. Jallianwalas are being enacted all over India.

"If the Home Member pretends ignorance I can only say that he is not fit to discharge the obligation of the office he holds and do not consider that he is loyal to the Viceroy, because I have no doubt about the sincerity of the Viceroy in his desire to promote an atmosphere of peace and goodwill in this land. My experience of Bengal enables me to bear testimony to the reign of terrorism that is going on there. Government, instead of prosecuting the papers for publishing stories which Government thought were incorrect, has gagged the press. Here is a picture in a paper showing a boy of ten unconscious because of the use of the hunter by the District Magistrate, Midnapur. Has Government prosecuted the paper for saying so and proved it to be untrue?"

Continuing, Mr. Neogy referred to the non-official Inquiry Committee set up into the Contai firing and the police excesses in the sub-division. The President of the Committee was Mr. J. N. Basu, President of the Indian Association, a Liberal politician about whose position the Law Member, present in the House, would bear testimony. This Committee, of which the speaker was a member and

Secretary, included no Congressman and its members were all opposed to Civil Disobedience. The Committee, when it visited a village, was arrested on the plea that it was inciting the people (cries of "shame shame") and an innocent person following the Committee was assaulted. Later, the members of the Committee were released. The Committee's report had been ready for some time, but Government's policy of gagging the press was so complete that not only not a single newspaper in Bengal would publish it, but not a single printing press would print it.

That was why, Mr. Neogy said, he had come to the Assembly to voice from this place his protest. Mr. Neogy then read copious extracts from the report of the Committee to put them on the record of the Assembly. He said that the villagers were in a state of panic through police terrorism. The Committee had the evidence of women molested, one in the presence of a Magistrate.

Mr. H. G. Haig, Home Member, intervening, drew attention to the Bengal Government's communique that enquiries showed that those allegations about women were false.

Mr. Neogy : That communique is a lie. Let me publish this report and then you prosecute me for it, instead of believing a communique issued from a factory of lies.

Mr. Jayakar :—Has Government ascertained through whose instrumentality this matter was investigated by the Bengal Government ?

Mr. Haig : I have only a copy of the communique.

Mr. Neogy said that the conclusions of the Committee were that the people were non-violent and prepared to suffer the legal consequences of breaking the salt laws, but Government resorted to terrorism. "People were breaking only the salt law, but the authorities had broken all other laws, including the laws of humanity."

Mr. H. P. Mody (Bombay) endorsed the appeal for conciliation with the Congress so that the London Conference might result in decisions which would carry with them the willing assent of the people of India as a whole.

The Government of India should act as a national government in the matter of representing the feelings in India at the Conference, taking due note of all the circumstances in spite of the contents of the Simon Report which the enemies of India, both in England and in this country, were anxious to exploit.

Trade and industry were completely paralysed in Bombay and unless something was done in the course of the next few weeks a grave economic disaster would threaten the whole country. It was for England to choose whether India should remain a willing partner in the Empire or go out of it, whatever consequences might follow. (Applause).

Mr. Jayakar said that he rose as the remnant of the old Nationalist opposition probably for the last time to sing the swan song. He was glad that Mr. Vallabhbhai Patel was advising Congressmen to contest the next elections so that the non-entities might not come and the Government might not pretend to be ruling with the assistance of the representatives of the people. He warned Government to beware and be prepared for the next fight with Congressmen. (Smiles in Government benches.) The Simonites had averred in their report that they did not alter their report because of the events in India during the last few months. If they were reporters, as they claimed themselves to be, they should have taken note of these events.

Mr. Jayakar alluded to the miracle witnessed in Bombay where ladies of loyal Parsee families joined in the movement—sights never before witnessed. He did not justify the civil disobedience movement which he held was wrong but the intensity of the feeling could not be minimised and no wise Government should fail to take a notice of it when framing their proposals for His Majesty's Government's consideration. He criticised the mischievous and insidious propaganda in favour of the Simon report very similar to Miss Mayo's books.

Proceeding Mr. Jayakar critically analysed the Simon Report and pointed out that the Commissioners proceeded with two bogeys, one, the Hindu-Muslim dissensions and the other, the conflict between the Government of India and the Assembly.

No wonder the Simonites objected to the transference of power from the Secretary of State to the Government even by conventions. The constitutional problem really lay in the transference of power from the Civil Service to popular representatives and making the Indian Civil Servicemen Indian, civil and real servants which they were not (laughter).

But the Simon Report maintained intact the Secretary of State's control over

the servicemen and the latter's privileges. Yet the report talked of strengthening the Assembly by merely doubling the number of elected members with no responsibility and converting the Assembly to a place for scramble for offices of executive councillors. He warned the Government of India to be careful of the pitfalls of the Simon Report. As for the forthcoming London Conference, he accused the Government for not arranging this Conference five years ago when the Swarajists, the Nationalists and the Independents wanted it. Too late was again the mistake of the Government which was sleeping like Rip Van Winkle all these years impervious to public opinion. And even when the Viceroy announced the Conference he talked of a journey and the end of the road to Dominion Status.

Mr. Jayakar was surprised that political mountebanks like Lord Birkenhead were engaged in vilifying the Viceroy and no attempts were made to curb their tongues. However, Mr. Jayakar personally favoured the Round Table Conference but warned the Government to see that the people's idea of it as a myth and a trap or even as an unred apparition was removed and every attempt was made to make it representative of all interests and parties and that it was successful.

The Conference was a great trust which was given to the Government of India to discharge. Were they going to convert the conference into a meeting place of loyalists by rewarding them with seats in this Conference? These loyalists who stood by the Government in the present fight might be rewarded with titles and many other honours in the Government armoury.

The greatest need of the moment was to conciliate the Congressmen, but had the Government shown its desire in that direction? No. On the other hand, the situation in Bombay, indeed, throughout the country, was badly handled by arresting men for no other offence than wearing Gandhi caps. His greatest complaint was that Government had resorted to contemptible methods of touts for downing Indian made goods and praise British goods. He instanced the leaflet issued by the Bombay Government which was quoted by Sir P. Sethna in the Council of State on July 10. He hoped that the Government would yet realise wisdom and choose the right policy. He heard in Simla some day that there should be no conciliation until civil disobedience was crushed and its back was broken. It was a tragedy that when the great Pt. Motilal Nehru came down from independence into the region of reasonableness and Dominion Status, he was clapped in jail. What would have been lost if he had not been arrested.

Pandit Motilal's statement afforded a basis for negotiation with Congressmen and he for one expected that there was a ray of hope. But when he (Mr. Jayakar) came up to Simla in high hopes he heard on his arrival that Pandit Motilal had been arrested. Men who have to work the constitution must meet in the London Conference and hence the need for conciliating Congressmen at this juncture.

Mr. Studd, speaking on behalf of the Europeans of Calcutta, endorsed Sir Hugh Cocke's statement that there were no die-hards among Europeans in India. "Our interests are so intermingled that it is impossible to call them purely British or purely Indian. There are plenty of Indians of the highest ability and capacity for positions of responsibility. It is a workable scheme acceptable to all that has to be produced. For that you want an atmosphere of friendship and goodwill. Every reasonable step that can be taken to make the London Conference representative of all interests and parties will have our full support (applause). It is difficult to see the necessity for this token cut, because the Simon Report is not acceptable.

I suggest that the mover should withdraw the cut. It would be a gesture of encouragement of that feeling of trust and goodwill which we are anxious to see brought about on the Round Table Conference (applause).

Maulana Shafi Dawli said that the Muslims were placed in a difficult position. On the one side they disagreed with Mr. Gandhi in boycotting the London Conference and on the other side they emphatically protested against ruthless repression. They had not succeeded in ascertaining why it was that Mr. Gandhi and Pandit Motilal boycotted the London Conference. Probably the reason was that they wanted to avoid a settlement for adjustment of communal differences. The Muslims who were intimately affected by this question, felt this keenly and were anxious to put before the world their case.

The *Home Member* said that while the leader of the House would explain primarily the case of the Government about participation in the Conference, he would reply to the criticism of the Government's policy in dealing with the present

situation. Speakers in the earlier part of the debate recognised the difficulty of the Government in dealing with the Civil Disobedience movement but in the later stage greater stress was laid on the inevitable and unfortunate incidents accompanying the movement. He said that the charges had been laid at the policy of the Home Department but specific allegations should have been made in the local Councils where the local Government would have surely answered them. He was not prepared to accept Mr. Neegy's allegations and as for those by Sir Cowasji Jehangir, the speaker drew attention to the Viceroy's speech that in such conditions it was inevitable that even the innocent would suffer with the guilty. The best way to prevent these deplorable incidents was for the Congress to abandon its present methods.

Mr. Neegy : And by the Government sticking to lawful methods.

Mr. Jinnah : Is it contended that if Government officers are found guilty of punishing the innocent that won't be taken notice of ?

Mr. Haig : That is not my position. I say that with the guilty some innocent might as well suffer. The position in Bombay had been different from what other provinces had to face.

Mr. Neegy : That shows how little the Hon'ble Member possesses information about Bengal.

At this stage other members also interrupted and the President asked them to let the Home Member proceed.

Mr. G. P. Singh : We also wanted to have an opportunity for speaking about our provinces before the Home Member had replied. Now we may put our points by interruption (Laughter).

Mr. Haig, continuing, said that it had been suggested that the Government was following a policy of repression. But what was that. That sought to suppress the object of civil disobedience which definitely was to undermine the authority of the Government. It was true that the situation was compelled by skilful methods devised by Congressmen.

I freely admit that in the majority of cases the method of non-violence had been adopted, though there are cases in which non-violence completely failed. Congressmen endeavour to place the Government in a dilemma by adopting their clever way. They rouse the sympathy of a large number of people who would not ordinarily sympathise with the Congress by the very fact that the Government must either acquiesce or resort to methods of force.

"But we must look beneath. Though the method is non-violent, underlying this conception is the force to coerce. It is a pity that this path has been chosen in preference, as the Viceroy said, to the path of reason and argument. The tragedy is not of those clashes of antagonism but of misunderstanding and suspicion. The difference is only about the pace with which we move in the same direction.

Mr. Neegy : Not the Hon'ble members.

Mr. Haig : I express my views that this misunderstanding is being sedulously propagated by the view that nothing can be obtained from the British except by force (opposition here, here). That is an entire misreading of history and misreading of the real temper of the British people.

Mr. Ranga Iyer : What about Ireland ?

Mr. Haig : That is a wrong impression.

Mr. Jayakar : Is the Hon'ble Member prepared to recommend to Government some means whereby this impression may be removed.

Mr. Haig : The general impression is possibly being removed by the events of the last three months which are making it plain that the path which has been adopted by the Congress of coercing the Government is not leading to any successful conclusion. Therefore, I appeal to this House to choose the path of argument and reason. I believe that in this constitutional question, what matters is not force but the moral issue. It is the moral issue that appeals to the British people. And my own conviction is that progress made in the past had been largely due to this moral appeal which it made to the British people and I trust that India will choose the path of commonsense and not of force, and that in a spirit of friendship and goodwill representatives of various parties and interests will go to London and seek the solution acceptable to both the countries.

Mr. Kikabhai Premchand, member of the Central Committee, criticised the Simon Report and said that the crux of the Indian problem lay in transferring the financial control from the Secretary of State and this was not possible unless the Central Government was made responsible to the legislature. The present unrest was due to economic causes.



Mr. *Amarnath Dutt* said that the Government should have announced the personnel of the London Conference before asking the Assembly to vote for the money. He accused the Government of promoting lawlessness and disorder throughout the country by the heartless manner in which they were dealing with the civil disobedience movement. He supported the allegations made by Mr. Neogy and described the conditions in Bengal as misrule. Mr. Haig was said to have been a good and sympathetic administrator in U. P. but here in the Central Government he was a different person, removed from the pulse of the nation and impervious to public opinion and moving in a vicious circle. He urged for general amnesty.

Mr. *Shanmukham Chetty* was amazed at the first part of Mr. Haig's speech, because, there was no indication that the Government of India were showing themselves responsible for the maintenance of law and order in the provinces and had evidently and even admittedly allowed Provincial Governments to have their own way. He alluded to police excesses in Madras against which a sober body like the Corporation protested and demanded an impartial enquiry. But, yet, the Madras Government endorsed the report of the Police Commissioner without instituting any enquiry at all.

Mr. Chetty, however, welcomed Mr. Haig's speech about the conference and said that he was educated by feelings of hope in regard to it.

Mr. C. V. *Venkatarangana Iyengar* opposed the grant, because there was no proper basis for convening the conference. Firstly, even the vested interests were against the Government for the manner in which they handled the present movement. Indeed those with vested interests were fast veering to the side of Congress because, in the present economic depression, they found no hope by co-operating with the Government.

Secondly, as the Viceroy so significantly said, there must be an agreement otherwise there would be no use of the London Conference. All the parties in England must agree and also all parties in India must agree on something and even then that something would not be directly legislated upon by Parliament but only the basis of proposals for discussion by Parliament.

With so many 'ifs' and impossibilities of coming to an agreement what was the use of convening the conference? The Labour Party was carrying on its Government at a daily risk and if there was to be an agreement among the representatives of Britain then the only result would be that the Labour Party must accept what the Conservatives and the Liberals laid down.

Moreover, Sir John Simon as Lord Birkenhead were bound to be in the conference. And the Simon Report was sure to form an important part of discussion. There was no escaping it after the Viceroy's certificate to it. It was no use asserting as Mr. Minah tried to do, that they could destroy the Simon Report by merely voting for the cut motion of M. Shahnawaz.

Then there was no proper atmosphere in India itself for co-operating with the conference because the policemen had indulged in unheard of excesses. Under what provision of law, he asked, were the policemen authorised to beat a man for disobedience of law? Finally Mr. Iyengar advised the Government to see that the Congress leaders like Mr. Gandhi and Pandit Motilal Nehru were invited by His Majesty even as the Irish leaders were invited and that prior to the London Conference there should be a conference in India for agreement amongst the Indian delegates.

Sir *Abdul Quayum* said that the Simon Report had done one good. It has shown that until there is an agreement among the Indians nothing would be granted. But so far as the Frontier is concerned, it would be worse off under the proposed reforms which strengthen the hands of the administration instead of the people (applause). He hoped Sir Bhore would throw some light as to what the Commission meant by the expression that the inherent right of man to smoke cigarette must be checked in the powder magazine. "Are reforms like a match? I thought they were civilizing (laughter). I am not less robust nor less learned than others and my sympathies are always in the direction of India, because the Frontier movements do not affect us, while the Rowlatt Bill, the Hijrat and the Congress movements from India infect us. Maulana Shafi Daudi was wrong when he said that the agitation was due to the Sarda Act. It was due chiefly to the discontent for the absence of reforms and not to the Sarda Act (cheers) and the Congress movement caught on, because it is the only organization and the Nehru Report promised them equal treatment, even though under the Swaraj Government the report would be a scrap of paper, but it had its effect on the frontier.

Col. Gidney spoke in favour of the Conference, because the interests of the minorities must be safeguarded. But the Conference was only an advisory body. Sardar Bullab Singh criticised the Simon Report as curtailing the existing reforms.

Rai Bahadur Patil pleaded for representation of non-Brahmins at the Conference.

Mr. Brij Kishore said that the talukdars were disappointed with the Simon Report and urged for organising the available constitutional forces in the country to make the Round Table Conference a success.

Mr. Lahiri Choudhury also protested against the Simon Report as trampling under foot the existing rights of the landholders. He mentioned in excited tones several instances of police excesses in Mymensingh and other places and in spite of two members calling them *subjudice* he averred they were not and warned the Government against adding to the ranks of revolutionaries by their mad policy.

Seth Abdullah Haroon protested against the non-separation of Sind.

Sir George Rainy, leader of the House, summing up the debate, said that the preponderant expression of opinion of the House was in favour of the Conference which meant in favour of a method of argument with a view to leading to prosperous and contented India. Government would give a careful consideration to all the varied suggestions when they formulate their own views on the report.

He disavowed any machiavelian motives in prompting the mover of the cut motion to bring it forward. On the other hand, the speaker discussed the matter twenty minutes with Mr. Shah Nawaz to persuade him not to move it but without success. Sir George held that it was impossible in this form to put on record the opinion about the Royal Commission report. The cut implied a censure of action which the Government controlled. None could suggest that the Government of India controlled the Commission or was responsible for its finding. Was it the intention to show that it was a dangerous report? (Voices: yes, yes).

The fact was that the object of the mover was to refuse supply on the ground that the material before the Conference was not as good as might be. Now was it consistent with the dignity of the House to refuse hundred rupees and sanction the balance on the plea? (Laughter) and would it not be a most remarkable compliment to the report that it is so important that the Assembly expressed its opinion on it? That is how the world would judge from the vote (laughter).

Referring to the personnel he assured of Government's constant anxiety to make it most representative. Continuing, he referred to Sir Cowasji's remark about English mentality. Sir George Rainy said that for those who would proceed to England English mentality was worth study. If Englishmen sympathised with Indian point of view Indians must also sympathise with British feeling and thoughts. Much would depend on the creation of an atmosphere in which the Conference would meet.

Whatever be the vote of the House, those who go to the Conference would have to hold a detailed examination of the report which had been produced by the Statutory Commission, drawn from all parties.

As for the atmosphere of harmony, it was not possible for the Government to make a magic gesture every year. It was becoming less and less possible for the Government to control the political feelings and regulate the public mind. The root cause was the challenge to the authority of the Government and that root cause must first be removed and thereafter they had enough assurance in the personality of the head of the Government to depend on the Government doing its part. "Until the leaders of the movement are prepared to discontinue it, the power of the Government to contribute towards creating the atmosphere, that we want to see, is paralysed. I would appeal to my hon'ble friends, who have influence with the leaders of the civil disobedience movement to exert that influence, because it is there that for the moment the power rests to give India peace and harmony, that it needs. I can only hope and pray that wiser counsels will prevail (applause)."

#### Motion Carried

At the conclusion of the debate, which took three days, Mian Shah Nawaz's motion was carried by 66 against 48 votes amidst non-official applause, this being the first division of the session and the first victory for the opposition on an important issue. Thereafter Mr. Farookhi withdrew his cut motion amidst applause and the House voted the grant for the expenses of the Round Table Conference and adjourned till Monday, the 14th July.

**Bills Passed**

**14th. JULY:**—The House on this day proceeded with official business. After interpellations Sir George Schuster laid on the table the preliminary report of Mr. Jukes on the enquiry into the expenditure of the Central Government for the six years ending 1.29.30. This report was not about retrenchment.

The House next passed without debate the Indian Lac Cess Bill, the Negotiable Instruments (Amendment) Bill and the Forest Act (Amendment) Bill.

The Assembly next passed the Telegraph Act Amendment Bill, moved by Sir Bhore, the Bombay Civil Courts Act Amendment Bill, moved by Mr. Haig and the Benares Hindu University Act, moved by Sir Frank Noyce.

Sir Frank Noyce told the House that both the Government and the University agreed on the need for a strong finance committee and the Government was anxious that when it is making such a large grant it should not face another bombshell for fifteen years hence and should show how the money is being spent.

**WORKMEN'S ACCIDENTS**

The House next passed the following two resolutions, moved by Sir George Rainy:—“This Assembly having considered (1) the draft convention concerning protection against accident of workers, employed in loading or unloading ships, (2) the recommendation concerning reciprocity as regards the protection against accidents of workers employed in loading or unloading ships and (3) the recommendation concerning the consultation of workers' and employers' organizations in drawing up of regulations, dealing with the safety of the workers employed in loading ships, adopted by the International Labour Conference at its twelfth session, recommends to the Governor General-in-Council that he should examine the possibility of giving effect to the above convention and recommendations and that results of that examination should be placed before the Assembly within eighteen months from this date.”

“The next resolution of the Commerce Member which was passed by the House ran as follows:—The Assembly recommends to the Governor General-in-Council that he should ratify the draft Convention concerning the marking of weight on heavy packages, transported by vessels, adopted by the International Labour Conference at its 12th Session held at Geneva in May and June 1920.

**ASSAM-BENGAL RAILWAY**

Sir George Rainy then moved the next resolution that “in view firstly of the requirements for new constructions and open line works on the railways, which will have to be met in the course of the next ten years and of the demands which the provision of adequate funds to meet capital expenditure required for these projects will make on the resources of the Government and, secondly, of the fact that the purchase of the Assam Bengal Railway Company's interest in Assam Bengal Railway will not at present be financially profitable and that another opportunity for acquiring that interest will occur in 1941, notice should not be given to the company on the present occasion of the intention to terminate their contract unless it should prove possible to devise some expedient, whereby the purchase money can be found on the terms which will neither involve the Government in substantial financial loss nor necessitate any serious curtailment in the programme of the new capital expenditure, required for proper development of railway system, in accordance with economic needs of the country.”

Mr. Abul Matin Choudhury opposed the resolution as giving a lease of company management for ten more years. The Government of India held eleven-twelfths of the shares of the company and it ought not to be difficult to secure the purchase money for the remaining one-twelfth.

Mr. Shanmukham Chetty protested against the House being asked to consider this important motion at such a short notice when even the Central Advisory Council only discussed it after the motion had been tabled.

Mr. B. Dass feared that if this railway was not purchased now the Government would raise a stronger objection to purchase the B. N. Railway later.

The Assembly at this stage adjourned.

**NON-OFFICIAL BILLS**

**15th JULY:**—The Assembly met on this day to dispose of non-official Bills. Practically the whole sitting was devoted to a debate on Mr. Jayakar's motion

that his *Bill to declare gains of learning* by a Hindu to be his separate property, as reported by the select committee, be taken into consideration.

Mr. Jayakar spoke for half an hour. He said the Bill had been introduced a year ago and the select committee had made no material alteration and Mr. Kelkar's minute of dissent was not acceptable to the majority, who held that the provision for securing repayment to a joint family of money spent on education would cause great harassment. He opposed Mr. Acharya's suggestion for circulation of the Bill because it was intended to kill the Bill, not to throw light thereon.

Mr. Acharya, moving the circulation of the Bill, said that Mr. Jayakar has based his claim on legal technicality and cast aside moral considerations. He appealed to the House to see that every law was a moral law. These lawyers are over-obsessed with the legal difficulties. This Bill will kill the Hindu joint family. He (Mr. Jayakar) is afraid of circulating the Bill. I give him my Brahmin blessing that he will come back to the Assembly with a larger following and he can then take the matter up again.

Dr. Nandal strongly supported Mr. Jayakar as the Bill would be of great usefulness to the Hindu community.

Mr. Venkataraman Iyengar said that the Bill was good from every point of view. It would prevent the disruption of family life and litigation.

Sir Hari Singh Gour said that the measure was not one of social reform or morality but of a technical nature, and though it removed doubts in one respect, it left two other doubts unremoved.

Many other members spoke on the Bill till about 4 in the afternoon. Of them, Mr. Natesa Iyer vehemently opposed the idea of rushing through the Bill, which, if passed, would disrupt the entire Hindu joint family system and disincite Hindu parents from spending money on their children's education.

Mr. Reddi said that no objection to the Bill had been voiced at any of the Sanatana Dharma conference held ever since the Bill was published.

Sir R. L. Mitter, Law Member, said that the Government was not convinced of the advisability of the circulation motion. They were not convinced that the Bill had any of the dangerous or mischievous tendencies referred to by its opponents. The Bill was entirely for lawyers to decide, and the opinion of the vast millions did not really count.

Mr. Gaya Prasad asked: 'Does the Bill seek to change the course of succession?'

Sir B. L. Mitter: No.

Proceeding, the Law member said that the Government were not convinced that the Bill attempted to disrupt the joint family system or that it was opposed to Hindu Dharma. It was a libel on Hindu parents to say that under the Bill no Hindu parent would be inclined to spend money on his sons. The Government had not received any protest from any Hindu association or body against the Bill.

The motion for circulation was lost without a division.

Mr. Acharya moved that where learning has been imparted to a person out of the joint funds of his family, he shall be liable to repay to those joint funds the full amount spent upon his learning.

Mr. Natesa Iyer supported Mr. Jayakar and opposed the amendment, which was rejected.

Mr. Jayakar's Bill was thereafter passed as amended by the select committee.

#### COURT FEES ACT AMENDMENT BILL

The House also passed Rai Saheb Harbilas Sarda's Court Fees Act Amendment Bill.

#### WAQFS' VALIDATING BILL

Mr. Ghuznavi's Bill amending the Mussalman Waqfs' Validating Act was passed without any change, the Law Secretary opposing amendments moved thereto.

#### WIDOW'S SHARE IN HUSBAND'S FAMILY PROPERTY

Rai Saheb Harbilas Sarda then moved the reference to a select committee of his Bill to secure a share for Hindu widows in their husbands' family property. Mr. Patil and others spoke on the motion. The House adjourned without coming to any conclusion.

#### BEATING OF CONGRESS VOLUNTEERS

16th. JULY:—A good deal of interest centred in the Assembly on this day round the two adjournment motions, one regarding the beating by European police sergeants at

Simla of two Congress volunteers and the second about the serious situation regarding the Siganj Gurdwara affair.

The President announced that the following notice had been received from Mr. Nehal Singh of an adjournment motion. Rai Bahadur Panna Lal, a co-signatory, withdrew his support of the motion which ran as follows :—

'That on the 13th July, afternoon, two European police officers at the Simla Mall asked two Congress volunteers, who were in the Congress volunteers' uniform and who were informing the public of a meeting to be held, to leave the Mall ;

2. The volunteers responded that they were doing their duty in a peaceful manner and that as peaceful citizens of Simla they had every right to walk on the Mall,

3. That, therefore, the police officers mentioned above pushed the aforesaid volunteers and beat them.

4. That the above-mentioned unlawful conduct of the above-mentioned police officers agitated the public mind and people in hundreds collected.

5. That the aforesaid sad and unlawful occurrence has given birth to a serious political agitation in Simla. The present very dangerous condition of the seriously injured volunteer has to-day caused a great sensation and has inflamed the public.

6. The present condition constitutes a definite matter of urgent public importance within the purview of sec. 45 of the Manual and I hereby give notice that I want to ask for leave to move an adjournment of the business of the day for the purpose of discussing the same, namely, the above described definite matter of urgent public importance.

*Mr. Haiq*, Home Member, objected to the motion as it did not constitute a matter of public importance. He said he had just received the papers on the subject from Mr. Worsley, deputy commissioner, Simla and had not had time to read them. But it was clear from the magistrate's report that neither volunteer's condition could be described in any way as precarious.

*Mr. Gaya Prasad Singh*—Did the deputy commissioner examine the volunteers himself.

*Mr. Haiq*.—No, he sent a magistrate to examine the volunteers who refused to go to hospital and refused to be examined by an assistant surgeon.

The Home Member said that while he realized the interest the House was bound to take in instances of this nature happening at a time when the House was actually sitting, they should not lose perspective. Had the incident happened anywhere else it would not be the kind of thing which would be regarded as justifying the House to move an adjournment of the business of the House. The matter could be more conveniently dealt with by a short notice question.

*Mr. Gaya Prasad Singh* expressed surprise at the Home Member's attitude. The matter was of urgent public importance, because it was in pursuance of the policy inaugurated by the Government of India of merciless beating. These things had happened under the very nose of the Viceregal Lodge and the shadow of the Assembly. The deputy commissioner was not a doctor but the speaker had a certificate given by a doctor, Dr. Mukand Lal, showing the nature of the injuries. Sometime ago the Congress secretary in Simla was also similarly beaten. If the Congress people refused to go to hospital, it was because they had lost confidence in the Government officers (applause) and the Government doctors would have said there were no serious injuries. *Mr. Gaya Prasad Singh* claimed that the matter was of urgent importance, because even the meanest subject of the King had the right to walk over the Mall and that right had been denied to these peaceful volunteers.

*Dr. Nand Lal* said that there being no opportunity of balloting a resolution on the subject, there was only the alternative of an adjournment motion through which the House could protest against the infringement of the public right of citizenship in this country.

*Mr. Ranga Iyer* said that by discussion alone would the House be able to satisfy itself whether a proper enquiry had been conducted by the Magistrate into the matter.

*Mr. Jayakar* hoped that the Home Member was not serious in his argument. Here was the testimony of two members of the Assembly regarding the events which had taken place. The facts had been categorically put before the House by these members. Here where the Viceroy lives and the Assembly is sitting under our very nose these breaches of law by the custodians of law have taken place. Yet the Home Member argues that this is not the proper place to discuss it.' (Applause.)

## PRESIDENT'S RULING

Maulvi Mahomed Yakub, ruling out the adjournment motion, said :

'The matter to which this motion relates is no doubt a definite one and also a matter of recent occurrence, but the mere fact of its being definite and of recent occurrence is not sufficient for allowing a discussion on the motion ; it must also be shown that it is urgent and of 'public importance'. The action of 'pushing' and 'beating' by two European police officers at Simla' of 'two Congress volunteers' however objectionable, unwarranted and undesirable it may be, cannot by any stretch of imagination be called as 'urgent' and of 'public importance'. Motions for adjournment are meant for obtaining an immediate debate on grave and serious matters which cannot otherwise be immediately and effectively dealt with and the very object of the motions will be lost if they are permitted to assume the character of an ordinary course of action of every day occurrence. A formal moving of the adjournment of the House as a tactical method of introducing a new matter into the day's work has during the nineteenth century been gradually but steadily discouraged by the rules of the House,' said Joseph Redlich in his *Procedure of the House of Commons*. Further on, the same author says that 'by the present rules such a motion for adjournment can only be permitted in the case of special urgency and I am anxious that the same principle should be established in this House. The Speaker has repeatedly refused to allow a member to move the adjournment of the House,' says Joseph Redlich on the ground that the matter proposed to be brought up by him was obviously not important or not urgent.' Moreover a distinction should also be drawn between the matters to be discussed in this House and the matters to be discussed in the provincial Councils and to my mind it would be too much interference on the part of this House as regards provincial affairs, if matters for which the provincial Governments are responsible are debated in this House by means of the extraordinary method of the motions for adjournment. It would not be right and proper to condemn a provincial executive behind their backs in a place where they cannot defend, explain or justify the conduct. The matter referred to in his motion is certainly a provincial matter which is not primarily the concern of the Governor-General in council. It is stated in Maine's *Parliamentary Practice* page 248, that 'motions have also been ruled out of order when it appeared that administrative responsibility of the Government was not involved.' It may also be remarked that according to Joseph Redlich the application must exactly fit the formula to ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance upon which must follow a statement of the matter referred.' The application which has been presented by the Hon. Mr. Nehal Singh, Rai Bahadur Panna Lal having withdrawn his notice, had also been drafted in such a form that it does not exactly fit the formula in the proper form. For the above reasons, I am afraid I must rule the motion out of order.'

## SISGUNJ GURDWARA AFFAIR.

There was also another notice of a motion of adjournment. It was by Sardar Kartar Singh who confessed that he wished to avert trouble in Delhi on July 17 as a Jatha of Sikhs was reaching there from Amritsar. His motion was to discuss the very serious political situation arising out of the most unsatisfactory response of the Government to the Sikh demand and the failure of the Government to redress the legitimate grievances of the Sikhs in regard to the Delhi Sisgunj Gurdwara incident on May 6, in which some policemen violated the sanctity of the Gurdwara by entering therein without taking off their shoes.

Mr. Haig pointed out that the incident occurred on May 6, since which date there had been a magisterial enquiry, the results of which had been published three weeks ago and the Viceroy had also received and sympathetically replied to a representative deputation of Sikhs. Sardar Kartar Singh could have tabled a resolution at the beginning of the session instead of attempting to-day to make an adjournment motion.

Dr. Nand Lal occupied nearly 25 minutes in reiterating his observations that the matter was definite, urgent and of public importance and sounded a warning regarding the Jatha which was reaching Delhi to-morrow.

Sardar Kartar Singh emphasized that the Government's reply to the S. G. P. C., Amritsar, reached on the 4th, the Prabandhak Committee met on the 7th instant and passed a resolution to send the Jatha which was reaching Delhi tomorrow.

The President said he was fully conscious of the religious susceptibilities of the Sikhs but not all the eloquence of Dr. Nand Lal could convince the Chair that the matter could not have been brought forward earlier than today. Therefore he ruled the motion out of order.

### Dacca Disturbances

Authorized by Mr. B. Das, Mr. K. C. Neogy, of Dacca, then moved a resolution urging the publication of the correspondence that had passed between the Government of India and the Bengal Government in connection with the outbreak of lawlessness in Dacca and the neighbourhood on the 23rd. May. The following is the full text of his speech in moving the resolution :—

"I must, first of all, thank my Hon'ble friend, Mr. B. Das for permitting me to move this resolution, which affects me and my constituency very vitally. I think I should also thank the ballot box, inanimate as it is, for having displayed a lively appreciation of the importance of this question and for having placed it at the top of the ballot list on two successive days. Sir, since I came to Simla this time, if there is one slogan with which the roof of this house, if not the sky of Simla, has been reverberating it is this : "Govern or abdicate." I quite agree that the Government must govern and indeed, Sir, if I am here to-day and if all of us are here to-day it is for the purpose of helping the King's Government to be carried on according to the constitution. (Hear, hear). But I must ask in all humility whether it is not a fact that the King's Government abdicated in favour of the hooligans for several days and several nights in the unhappy city of my birth. Sir, before proceeding further I should like to produce before this House the testimony of an octogenarian citizen of Dacca. He is a leading gentleman of the city and his name is familiar to every Bengalee—I mean Babu Ananda Chandra Roy, a leader of the old generation. From his sick bed the gentleman addressed the following letter to one of the members of the Executive Council of the Government of Bengal. He says :

"For an old man who saw the Sepoy Mutiny of 1857 it is unbelievable that under British Rule there could be such horrors as looting and burning of houses and killing of men in broad daylight in the town of Dacca, sometimes before the very eyes of the Government officials and the police who did not care to stop them. I pray to you to place before His Excellency the case of Dacca, which was in the hands of the rowdies for several days and nights just as we read in the history about the sack of Delhi by Nadirshah. Kindly move to appoint a Committee to make a sifting inquiry into the matter, as the popular belief is that Government has apparently allowed these things to be done for the sake of policy and one is helpless and cannot blame the people if they are driven to these conclusions by the force of circumstances".

What follows is pathetic :

"Being a moderate of the old school, I have still faith in British justice ; so please let me die with the same faith. Let the Government take prompt action in this Dacca matter at an early date and for God's sake do not drive these people who are yet loyal into the folds of the extremist agitators."

Then he continues :—

"Only the other day I sent a letter to His Excellency the Viceroy along with Maharaja Tagore giving my whole-hearted support for law and order but I did not for a moment think at that time that I should be rudely shaken by the local authorities' behaviours in the present riot here at Dacca."

Sir, shortly after the news of the disturbance at Dacca percolated through the muffled wires, through the censored telegrams to Calcutta, some leading citizens of Calcutta issued a long statement in which they summed up the situation. They pointed out that for one week, if not more, all the courts of law were closed and responsible judicial officers could not stir out of their houses. Most of the post offices in the city were closed and those that were open could only conduct their work with the help of a very small proportion of the staff. There was no regular delivery of the mails for all this time.

Mr. H. A. Sams (Director-General of Post and Telegraphs) : The delivery of mails was discontinued for three days only.

Mr. K. C. Neogy : I am very much obliged to my Hon'ble friend for pointing out this to me, but even that ought to suffice for the purpose of establishing the

seriousness of the situation. If for three days the mails could not be delivered, is not that fact serious enough? But I maintain that so far as the smaller post offices are concerned, they did not transact any business for very many days after that.

My Hon'ble friend must be talking of the Head Office of Dacca, which delivered letters only through the window to people who could reach the post office by braving the murderers on the way. But what were the authorities doing? I may here pause and say that I am going to disappoint my Hon'ble friend the Home Member if he expected that I was going to raise a communal issue on this occasion.

The Hon'ble Mr. H. G. Haig (Home Member): I am very glad indeed to hear that assurance.

#### SIXTY LIVES LOST

Mr. K. C. Neogy: Sir, about 60 Indian lives are believed to have been lost at Dacca. I am not going to say how many of them were Hindus and how many of Mahomedans. That does not matter at all. Property worth half a crore has either been looted, burnt down or otherwise destroyed. And what were the authorities doing. The leaders in Calcutta, to whom I have already referred, point out in their manifesto the amazing failure of the executive authorities to take adequate measures to cope with the situation.

"This seems", say they, "to present a strange contrast to the promptitude, vigour and display of force with which the movement of civil disobedience is being met by the authorities all over the country."

Sir, I will now quote from another distinguished authority. I do not know whether my Hon'ble friend cares to read the Bengal newspapers. But I do hope that he does read the "Bengalee" which is edited by my esteemed friend, Mr. Sharma. Now what did Mr. Sharma himself in his editorial article say about the situation? I am quoting from my memory but I hope my Hon'ble friend will correct me if I am wrong. He said that the situation at Dacca discredited the Government more than all the salt law breakers taken together. This is the testimony of a gentleman who considers the prestige of the Government to be no less dear to him than his own.

Sir, may I now in order to give the House an idea of the seriousness of the situation give a few extracts from signed statements which I have got with me and which were made by the witnesses who appeared before the Official Committee of Inquiry. These statements cannot be discredited by my Hon'ble friend, the Home Member, as not having stood the test of cross examination. I have got with me many signed statements of witnesses who have come forward and given evidence before the Official Committee of Inquiry which is sitting at the present moment at Dacca. I am going to cut just a few samples of the evidence which they gave before the Committee of Inquiry in connection with the Dacca Inquiry. I have taken these statements at random.

#### NO POLICE HELP IN SPITE OF ENTREATIES

I will begin with one person who lost about Rs. 10,000 worth of goods by reason of his shop being looted. He says: "My shop is visible from the Nawabganj Police Station and is very close to the Pilkhana Battalion, the head quarters of the Eastern Bengal Frontier Rifles. At the time of the incident, I ran to the Nawabganj Police Station and caught hold of the feet of the Havildar and entreated him to save my shop. The Havildar said: "Go to the Congress and Gopal Babu and take Swaraj (eries of shame, shame). My shop was looted for eight hours and in spite of entreaties, the police did not come forward to save the shop. We know the names of many of the goondas and know many by face and we lodged information at the thana. About a week after the police came, but has not arrested anybody up to now." (That is during one month from incident).

Sir, I will trouble the House with a few more extracts. Thanks to the policy which the Hon'ble Member has initiated, the press has been so thoroughly gagged, so thoroughly demoralised, that the most important points are not being published in the newspapers to-day, although they make a pretence of reporting the proceedings of this Committee.

#### LOOTING IN PRESENCE OF POLICE

The next witness is another shopkeeper who lost goods worth Rs. 1,500. "Four or five policemen were standing near the shop while it was being looted. I can identify the goondas. Police came 7 or 8 days after information. No arrests; or house searches were made."—although one month has elapsed.



Then the owner of a medical stores says :—

"I noticed from a distance 5 or 6 police constables sitting in a verandah on the public road opposite my shop. The shop was being looted. Police did not permit me to enter my shop nor did they prevent goondas from looting and destroying property. I lodged information. No searches were made and no arrests."

Then I came to another shopkeeper who lost goods worth Rs. 4000. "The shop was in flames. Seeing 5 or 7 policemen standing there, I attempted to bring out whatever articles remained in my shop, but the police prevented me saying—"go to Gocul Babu and take Swaraj".

The next man is another shopkeeper who says :—

"Two policemen passed by while my shop was being looted. I asked them to save my property but they went away. The police station is two minutes' walk from my shop".

Another man says as follows :—

"The police station is only 5 or 7 minutes' walk from my shop. When my shop was attacked I sent my brother through the backdoor for giving information to the police. The Habildar said to my brother: "why have you come to inform the police? Go to the Congressmen". After much entreaties by my brother, the Havildar phoned to Lalbagh Thana (possibly to a superior authority) and then told my brother "we have no orders to go. You won't get any police".

Here also there has been no investigation, no searches, no arrests, though the names of goondas were given in the first information.

Mr. President :—Order order. I have no intention of interrupting the Hon'ble Member, but I believe the Hon'ble Member knows that the discussion of a resolution shall be strictly limited to the subject of the resolution. I should like the Hon'ble Member to let me know how this discussion is connected with his resolution which asks Government to publish all correspondence that passed between the Government of India and the Government of Bengal.

Mr. K. C. Neogy :—Sir, I submit with very great respect that this procedure is a well-known parliamentary method of raising a general debate on any point at issue and it is partly for that reason that I framed it in this manner. Apart from that, I wanted to know what action the Government of India had taken in the matter, having regard to the importance of the incidents that I have just now alluded to ; and it is for the purpose of pointing out to the House the very grave importance of the subject that I propose to go into some of the details so that my Hon'ble friend may not get up and say that it is after all a matter of provincial importance and they cannot be expected to interfere. That is my submission.

#### PROTECTION REFUSED TO ATTACKED MEN

Sir, may I proceed ? The next gentleman says:

"I was walking along the road and was suddenly set upon by some goondas. I found 10 or 12 Gurkhas or Garwali military policemen passing. I and four others sought their protection which was refused. I said: 'They will kill us and you will not stand by and protect us?' One of the Gurkha policemen replied—"we have got no orders to do any thing (Hamlok ko kuch karneka hukum nehi hai)".

"A goonda struck me with a lathi. I clapped a Gurkha policeman and entreated him to save my life. The other people accompanying me were also beaten with lathis and rods. To my utter dismay I found that not a single Gurkha raised his little finger to protect us, but were marching all the while. We passed the police club shouting for help but nobody came to our rescue".

#### PROVIDENTIAL ESCAPE

He had a providential escape through the intervention of a priest of a temple nearby who dragged him into the temple somehow while he was passing by.

Another man who lost goods worth about Rs. 10,000 says :

"When all my belongings in the shop were being looted, a party of four armed Gharwali policemen came up in a bus and alighted in front of our place. They simply said 'Hat jao' to the looters and in spite of my request to them to arrest them they did not arrest them. Even in their very presence the goondas were removing the goods of my shop. Those armed police then told us to leave the place or else we should also lose our lives. Having said this they took us viz., my daughter-in-law, my brother's son and myself, up into a motor bus which was stopped

at the bend of the Chawk. The Magistrate, the City Superintendent, and sergeants were there. My brother's son Sukhlal Pal B. Sc., got down there and told the Sahibs—"They are carrying us to hospital but there is still a lot of goods in our shop, which is being looted still, so I pray post some police for protection." In reply the Magistrate said that he could not spare any police. And we were carried to the hospital, where I am still an indoor patient."

Here is the managing director of a cotton mill. I am not going to tire the house with any lengthy extracts from his statement. He says that while looting was going on, he encountered a Sahib in police dress and he stated at the time looting

"Ap khooshi hai, ialdi lao."

He saw not only male goondas but also females and children taking away articles from that shop. I may mention in passing that all the crimes, all murders, all the looting and all the arson that took place were committed in broad day-light. The goondas preferred the daytime to night for the purpose of committing their depredations, because they had nothing to fear from any body.

Then Sir, I will skip over many other statements. Now I will come to the statement made by a Government Official, a lady Head Mistress in charge of the Vernacular Training School, a Government institution, referring to the looting which was being carried on in the neighbourhood. She says:

"There were several policemen present on the spot and they were loitering in the street without caring for what was going on. I also saw that an iron safe was broken with an axe and as soon as the safe was broken, some policemen who were armed with guns, came forward and fired blank shots as a result of which the goondas moved back. The contents of the iron safe were currency notes etc. These were then hurriedly taken away, by the policemen, who pocketed them inside their coats".

This is the testimony of a lady who is also a Government servant. I will not trouble the House with any further extracts from her statement although it is very interesting.

Then I will come to the testimony of a European, Mr. Hodgen, the Agent of the Indian General Navigation and Railway Company, the representative of the Steamer services of Dacca. I may mention that for several days the steamers carrying passengers did not stop at Dacca, such was the seriousness of the situation. He says.—

"I am the General Agent of the Badamtali steamer ghat. I am a European. As far as I remember, steamers from Barisal arrived at about 11 p.m. on the 24th May 1930. All passengers except a very few were booked to Narayanganj that very night under my instruction." because he did not consider it safe for the passengers to alight.

"One gentleman with his family stopped in my office that night. I phoned to the police for sending armed guards but got no response that night. I know of one occurrence just outside the station in the afternoon. One man was fatally wounded and two others were injured. These wounded men were sent to hospital by a boat from the steamer station."

And here, Sir, let me pause for a moment and pay my tribute of admiration and thankfulness to this European gentleman who by all accounts rendered great assistance to the people in distress. (Dr. Nandalal. Hear, hear).

Then he says.—

"On Sunday morning the 25th I saw a crowd of Mahomedans collected before the rice shop to the east side of the station. The shop is owned by a Hindu. The police came and went away from the spot. The shop was looted by Mahomedans. The Hindu owner left the rice shop on Monday morning by boat for Tar-pasa and told me verbally before his departure that Rs. 1500 in cash and stock of rice had been taken away by the looters. No booking of passengers was made from the office as the clerks were afraid to attend office at night. The Barisal steamer was directed to go via Narayanganj. Some motor launch services and the Dhaleswari (Manikganj) service were stopped for some days. Goods were rebooked to the consignors. I have no gun. The jamadars and the police of the station are unarmed."

#### EXPERIENCE OF THE PRINCIPAL OF EDEN GIRLS COLLEGE

Now Sir, I come to another Government officer, another lady, the principal of the Government College for girls at Dacca. She says.—

"Since the 24th to 28th May, the period of the riot, I was here stoping in the school premises. I did not know what sleep was. I do not remember how many times I phoned to the police to send me some pickets to protect the locality which is very lonely and isolated; but every time I was told either, 'let me note it down' or 'none available'. These are the two replies which she got and remember this was the case of a lady official living with some other ladies who were in her charge in that isolated place.

"In the evening I again phoned to the police. I told him that being the Principal of a Government institution for women, I could naturally claim protection, but nothing was done for me. Things reached their climax on the 26th on which day at 1 p.m. a huge mob of ruffians rushed towards us from the Backland Bund. (This is a promenade running right along the river). They all carried with them deadly weapons—daggers, big lathies and a few guns. In the crowd there were some dressed in khaki European uniform. The mob returned from the direction of Sadar Ghat. All the time they were hurling their daggers and lathies and shouting. I noticed a man among them over whose head an umbrella was held by another and was told by one of my servants that he was"—

(I do not propose to give the name here, but he is a prominent man at Dacca).

With great difficulty she managed to get a car from a friend of hers for going to some friends. Then she says:

"As I was getting into the car I found a number of policemen, police constables standing near the car. When asked as to why the hooligans were not restrained from the atrocities they were committing in the town, they said—Mussalman ko rukh-neka hukkm nehi hai, hamlok ka karenge—(That is, they are not permitted to oppose the Mussalmans, what could they do). (Cries of shame, shame). This is the testimony of a Government servant, a lady holding a very responsible position and this has stood the test of cross-examination by the official Committee of Inquiry.

Now I come to a Police officer—a retired Inspector of Police: he lives with his elder brother who is a retired Additional Superintendent of Police. The whole family seemed to have served the Police Department very loyally because there is also reference to a nephew of his who was personally concerned in these riots and was hurt. He says:—

"I saw hooligans and females and children carrying looted articles through lanes running along the north as well as the south of my house. I also saw two or three constables in that locality, but apparently they were doing nothing."

This is the statement of a retired Inspector of Police and he was making the statement, I dare say, with a sufficient sense of responsibility. He goes on:

"In the afternoon my nephew a Sub-Inspector of Police returned from the Police office and stated that he was attacked although he was going with two armed orderlies in plain dress and with the head clerk of the police office. When they were attacked they gave out that they were police officers and that they had revolvers with them. One of the hooligans gave a severe blow on the neck of Mahendra and snatched away the revolver from his waist. The head clerk somehow or other got back the revolver but was himself wounded in the back."

Then he gives his own opinion as to how far the police arrangements were sufficient and he is perfectly entitled to give his opinion, a retired Police Inspector as he is. He says:

"I personally think that the police arrangement was not sufficient. If the goondas of whom there is a list in the police office, had been arrested at the inception and proper police precautions taken, the disturbance would not have continued so long.

His nephew also has been examined before this Official Committee of Inquiry. He says: "We informed the Superintendent of Police about the occurrence and showed him the wounds received by us. I do not know whether an investigation has been started over this and whether any arrest has been made in this connection. I know by face the man who snatched away the revolver from me."

When he says that he does not know whether an investigation has been started, it clearly shows that he was not even given the opportunity to identify the assailant and he is a police officer still in service. This is the way the police authorities at Dacca have been discharging their responsibility.

I am afraid I have exhausted all my time. These sickening details are too numerous to be dealt within five or six hours even if I were to get such indulgence from you on this occasion.

## LOOTING AT ROHITPUR

While this was the situation in Dacca itself, what was happening in the neighbourhood? The poison spread to the interior. A village, a very flourishing village, not more than seven miles from the district head-quarters, I mean Rohitpur, was the scene of unheard of goondaism. About 118 houses belonging to wealthy businessmen were looted completely, even the broomsticks in the houses were not left behind by the looters and what did the authorities do? The news of this occurrence did not reach the authorities for three days. Talk of law and order? Is this the way to maintain law and order in the country? After three days when the information somehow reached the police authorities, a constable was sent from the nearest thana to make inquiries. Then the people of Dacca got to know about it and then they sent some responsible persons to inspect the locality. I have got a detailed report of what they saw—I am not going to place it before the house at the present moment; it may be too tiresome.

The most astounding feature of this incident at Rohitpur is that the rioters were incited by Chowkidars in uniform. They incited them in the name of Government, to loot the houses of the Hindus and several lakhs worth of property were removed and destroyed at leisure for two days together. And when at last the superior administrative authorities reached that place, the Deputy Inspector General of Police, Mr. Craig, accompanied by the Nawab of Dacca and his brother Khajeh Nasirulla and the Superintendent of Police, they called together the famished and oppressed people and convened a meeting and delivered a speech, and this was the purport of the speech: The Deputy Inspector General of Police said—"Don't do it again. Ask the Congress people to protect you." Then he asked the people if they wanted Gandhi Raj or British Raj. On this Mr. Craig asked them to cry out "British Raj-ki-jai". The people finding that it was really the victory of Nawab Bahadur and British Raj cried out in agony, 'British-Raj-ki-jai' and 'Nawab Bahadur-ki-jai'. The company left the place after arresting some Muhammadans including three Muhammadan Chaukidars and triumphantly entered the city of Dacca, shouting from the launch in the river Buraganga—"British Rajki-jai" and "Nawab Bahadurki-jai". Some Hindus of Dacca living by the side of the river, hearing the shout were first terrified but subsequently on enquiry they learnt that Nawab Bahadur and Co. had returned from Rohitpur and that there was a serious occurrence there.

## A MOSLEM PLEADER'S TESTIMONY.

Continuing Mr. Neogi said: Fortunately for us, all the Muhammadans of Dacca are not like my Hon'ble friend, Mr. Ghuznavi (hear, hear), and I am here to acknowledge that individual Muhammadan gentlemen have afforded protection to Hindus in distress during this troublous days; and I propose to read out a certain statement made by a Muhammadan pleader of Dacca which will have some interest for my Hon'ble friend, Mr. Haig. The statement is a signed one and I have seen the original in the Bar Library at Dacca. This statement has reference to the point as to whether the police force at the time was adequate.

"On Saturday," says this statement, "returning from court at about 5 p. m., hearing a great noise coming from the direction of Nayabazar Municipal Market, I proceeded towards the market. I met some passers-by who told me that a shop in the market had been set fire to. I went near the market where butchers' shops are situated. I found a crowd before the burning shop and I saw several men going with articles of the shops. They were all Muhammadans. I found that a few police men with a European officer, coming out of the crowd moving leisurely towards the west."

(Sd.) A. F. Nurannabi, B. L.

Pleader, Dacca."

It is not a question of the insufficiency of the police, it is indifference, it is criminal callousness.

## NO POLICE TO GUARD BURNING GHAT

Sir, reference was made to a funeral procession. I have the statement of the officer in charge of the cremation ground at Dacca. The House will remember that whereas a funeral procession, which started the rioting, was allowed to be taken through the leading streets of the city without any let or hindrance, the Hindus could not take their dead bodies for cremation to the cremation ground. And when

the officer of the cremation ground approached the Chairman of the Municipality, the Chairman sent him with a letter to the Thana (the Police Station). He says :

"A Mubammadan Sub-Inspector was at the Thana then. I delivered the letter to him and on perusing the same, he told me : 'You indulge in Swadeshi and shout 'Bande Mataram', why then you come to us with a letter of Swadeshiwala Satis Sarkar (Chairman).'"

The Sub-Inspector then handed over the letter to the officer-in-charge of the thana, who ordered it to be filed and said, 'You won't get any police for guarding the burning ghat.' Several people who had gone there carrying their dead bodies for cremation were murderously assaulted and one of them actually lost his life. Since the incident took place no Hindu had any protection in the matter of carrying the dead bodies to the cremation ground and the dead bodies had to be cremated inside their own house. Look at this picture and the other one : A huge procession carrying a dead body was allowed to be proceeded with through the streets. It consisted of several thousands of people by the time it has reached the mosque.

Then again, with regard to the question of inadequacy of the police force. Mention has already been made by my Hon'ble friend Mr. Sen about the action of the police in snatching away the guns from people who were attempting to defend themselves with their help.

Does the Hon'ble Member mean to say that whatever the Committee of Inquiry may have to say with regard to these incidents, the effect of the statements of the responsible people can be taken away ?

Then, Sir, another point has not been investigated. All the burning that has been done has been done with the help of petrol. Petrol was smeared on the doors, the beams and rafters of the brick-built houses. A large quantity of petrol was required for the purpose. Will the Hon'ble Member make an enquiry and find out as to whether the police has yet tried to discover the source from which this petrol came ? It has been openly alleged that the petrol was carried in private cars belonging to certain persons and yet no action has been taken in this direction. Even if I were to concede for the sake of argument that the police force was inadequate at the time, what have the police done since to arrest the people who were named by the aggrieved persons as having been assailants and having looted their property ? What action has been taken to try and discover and seize the looted property ?

Will the Hon'ble Member find out as to why it is that no serious attempt has been made to recover the looted property worth at least 20 to 30 lakhs ? I know that in a few instances make-believe searches were made. And would it be believed by this House that before the searches were made, people were cautioned by beat of drum in the city of Dacca that searches might take place ? This statement has been made by responsible people. The House can easily imagine what came out of these searches.

#### FAITH RUDELY SHAKEN

I may be permitted to say that when I came into the Assembly ten years ago I had great confidence, if not in the Government, at least in the constitution. May I tell this House that faith has been rudely shaken by the recent incidents that I have myself witnessed with my own eyes and about which I have made personal enquiries. I feel that it is extremely difficult for any one to do any real service to the country as a member of this House. If I have said anything which might have irritated the Hon'ble members opposite, it is because, I expected a very high standard of conduct from the Government which they have failed to attain.

Mr. Ghaznavi (Dacca) opposed the resolution. He said that both the Hindus and Mussalmans had suffered. If Mr. Neogy was right in saying that the Hindus suffered at the hands of Muslim hooligans, how was it that the Mussalmans had also suffered in life and property ? He asked how could the Hindus be protected if the whole city was in the hands of civil disobedience wallahs.

Mr. Neogy.—'Oh, the cat is out of the bag.'

Mr. Ghaznavi said that it was impossible for a small number of policemen to handle the situation created by the activities of the Hindu Sabhaites and civil resisters. According to his report there were 13 deaths among the Mussalmans and 11 among the Hindus. This was according to a statement of the committee of seven which enquired under the chairmanship of the Nawab of Dacca. Giving the genesis of the

movement, Mr. Ghaznavi said that it lay with the Hindus setting fire to Mussalman shops. No arson was committed by the Muslims before that.

*Mr. S. C. Sen* deplored the communal turn given to the debate by Mr. Ghaznavi and emphasized that goondas were goondas whether they were Hindus, Mussalmans or even Government servants. But he blamed the Government for failing in the elementary duty of protecting the people. (Applause.) Dacca was the headquarters of the Eastern Frontier Regiment and was the headquarters of the Bengal Government for one month and it was, therefore, idle to pretend that there was not sufficient police force at their disposal. He complained that the Governor and his Executive Councillor in charge of law and order did not visit the scene of disturbance at Dacca as they did after the carters' strike in Calcutta.

*Dr. Naudlal* said that it was incumbent on the Assembly to bring to the notice of the Government any case of alleged injustice done to any one. If even a part of Mr. Neogy's story was true a blunder had been committed by certain Government officials of Dacca. These must be punished after due enquiry and thus inspire confidence.

*Mr. Mookerjee* (Nationalist party) referred to the alleged malpractices in Dacca and its neighbourhood and said that in many cases looting took place after the male members had been arrested. Concluding, he expressed the opinion that if the head of the district had been an Indian such disturbances would not have taken place or at any rate continued.

*Mr. Haig*, replying to the debate, said that Lord Irwin's Government might be spared from the accusation that it was spreading communal dissensions. He admitted that broadly speaking the picture presented by Mr. Neogy and others was true, because for some days there were serious disturbances, a number of persons were killed and a number of others were injured and houses were burnt and looted. But Mr. Neogy had made a most serious accusation that the authorities allowed the situation to go on unchecked as a matter of policy. A committee of inquiry appointed by the Bengal Government, consisting of one high court judge of Patna and a member of the board of revenue was enquiring and it was better to await their report. The House must not forget that the police force in Dacca was exceptionally weak. He had no figures, but the local authorities had said so. It was very unfortunate that when such a serious outbreak had occurred a greater part of the military police force had to be absent. The force was greatly at Chittagong. However, the Inspector-general of police arrived at Dacca with 250 men on the 26th May and after that there was no serious widespread disturbances in Dacca. There were isolated assaults and lootings. The remedy for such a situation lay in picketing the whole area—picketing in the official sense. (Laughter.) Mr. Haig read out the terms of references of the committee which were very wide and said that until the report was published he could not say anything regarding the details of the disturbance. Continuing, he said it was not advisable to publish the correspondence between the Government of India and the local Government, because the views embodied therein must obviously be incomplete. He appealed to the Assembly not to hamper the enquiry committee by making allegations which would only embitter the situation.

*Mr. Neogy* in reply said that his facts were taken mostly from the *Statesman* of Calcutta and proceeding quoted from a letter of a Muslim gentleman of Dacca to the effect that a policeman was in the crowd and did not do anything to stop the disturbance. He feared that as the members of the committee of inquiry were both from the Indian Civil Service their report was bound to be whitewashing as they must support the I. C. S. men whose conduct was in question. The people wanted a mixed committee and not an official committee. He also complained that neither the Governor nor any member of the Bengal Government or any other official on their behalf visited Dacca after the riots. Concluding Mr. Neogy said that as one who was about to conclude his ten years' connection with the Assembly his faith in the Government, at least in the constitution, had been rudely shaken by the recent incidents.

The resolution was pressed to a division and lost by 39 votes against 41. The former largely consisted of the Swarajists and Nationalists and the latter of Government, Central Muslims, European and nominated members. The Independents as a party remained neutral.

The House then adjourned till the next day.

## ENQUIRY INTO RAILWAY ACCIDENTS

17th. JULY :—The Assembly met on this day to discuss non-official resolutions. After interpellations, Mr. Ghuznavi moved a resolution urging that steps be taken in all cases of railway accidents entailing loss of human lives, (1) to institute a coroner's enquiry, (2) to deliver the bodies of the deceased to the relatives concerned as far as practicable and failing that to different social service organizations, and (3) to institute a judicial enquiry by a committee to be composed of officials and non-officials.

Sir George Rainy welcomed the suggestions though he could not accept the resolution. He would address the local Governments as to whether there ought to be judicial enquiry by a magistrate in every case and whether it was desirable to associate non-officials as assessors in cases of accidents. He personally thought the latter suggestion would prevent untrue stories getting about. When the local Government's views came, he would place them before the Railway Central Advisory Council.

Mr. Ghuznavi accordingly withdrew his resolution.

## The Constitutional Problem

Mr. Acharya moved a resolution recommending to the Governor-General (a) to take steps to persuade His Majesty's Government in England to recognise India's right to evolve as an integral part of the British Empire what form of responsible government will be adapted to her needs and ideals and to invite Indian leaders to formulate constructive proposals for devising a scheme which will be immediately acceptable to the chief interests concerned and be capable of self-development, (b) that with a view to create the necessary peaceful atmosphere he be pleased to release Mahatma Gandhi and other political prisoners not convicted of any acts of violence.

Mr. Acharya emphasised that the demand for full responsible government must be pressed with an united voice. For that a peaceful atmosphere was necessary and this could be got by the suspension of the civil disobedience movement and the release of Mahatma Gandhi and others. He would willingly accept Maulvi Shafi Daudi's amendment.

Mr. Venkata Krishna Iyer urged the Government to create a peaceful atmosphere to enable decisions being arrived at to the glory and dignity of India and Britain.

## AMENDMENTS MOVED

Mr. D. R. Patil moved an amendment urging the representation of the various interests at the Conference with due prominence to the rural interests.

Mr. N. G. Ranga moved an amendment throwing the responsibility on the Government for taking all the necessary steps to secure Mahatma Gandhi's presence at the Conference.

Maulavi Saffi Daudi moved the following amendment :—

'In view of the fact that it is very desirable that all political parties and interests in India should unite in pressing upon His Majesty's Government in England India's claim for responsible government and in view also of the fact that attempts are being made to secure a peaceful atmosphere and the suspension of the civil disobedience movement, this Assembly recommends to the Governor-General in Council that he be pleased to release Mahatma Gandhi and other political prisoners.'

Mr. U. N. Sen referred to the clouds in England, but felt optimistic that the leaders who wished to approach Mahatma Gandhi and Pandit Motilal would be able to bring about a settlement.

Mr. Kumaraswami Chetty vigorously demanded the release of Mahatma Gandhi and other political prisoners and thereby secure the cooperation of the Congress at the London Conference which could thus be made a success.

## CIVIL DISOBEDIENCE MUST BE CALLED OFF FIRST.

Sir George Rainy, on behalf of the Government, said there could be no question of the extent to which the country was suffering as the result of the disobedience movement, as there was a growing spirit of lawlessness and the material injury was becoming great. Want of confidence was paralysing internal commerce. If the Government of India still found themselves unable to go the whole way with those who spoke then their difficulties must be grave. Some had spoken as if this were a

case in which the blame fell as much on one side as on the other, and that a proper way of addressing both the Government and the Congress was to lay the blame on both parties. That was not a fair or accurate description of the position or origin of the present situation. Was not Lord Irwin's offer of the Round Table Conference a reasonable and fair offer which if it had been accepted in the same spirit in which it was offered would have prevented a dangerous situation? But the Congress answer was one of absolute refusal, except upon terms which neither His Majesty's Government nor the Government of India could contemplate because in effect that would have reduced the Conference to registering the decrees of the Congress itself. Unless civil disobedience was called off it was not possible for the Government to bring about a better atmosphere or secure the co-operation of the Congress leaders in the work of the Conference. The initiative clearly lay with those who launched the movement and were still inspiring it. The resolution passed by the Minorities Conference at Simla a few days back emphasised this point, with which the Government agree. The Viceroy had by his speech to the legislature left the door open for the Congress leaders to attend the London Conference. If the movement was still kept up and if the Government released the political prisoners then it would amount to abdication of Government. If the movement were discontinued then a new situation would be created. Then clearly the Government would do what they reasonably could to restore normal conditions, as they were anxious to make the Conference a success. More than that he could not say. The Government of India felt the burden resting on them to do what they could to be conciliatory and bring about a happier state of feeling, but they could not but feel resting on their shoulders the responsibility that the King's Government must be carried on and that whatever else they did they could not renounce the trust imposed on the Government because it was Government.

Mr. Raghbir Singh described the resolution out of date, and Mr. Reddi pleaded for amnesty. The motion was talked out and the Assembly adjourned till next day.

#### PURCHASE OF ASSAM-BENGAL RAILWAY

18th. JULY:—The last sitting of the Assembly was held on this day to conclude the discussion on the question of the purchase of the Assam-Bengal Railway moved by Sir George Rainsy.

Mr. Fazal Rahimtullah moved an amendment jointly given notice of by him and Mr. Krishniah Chowdhury to the effect:

"This Assembly recommends to the Governor-General-in Council that negotiations be undertaken with the Assam Bengal Railway Company to obtain for the Government one year's extension of their existing option to terminate the Company's contract on the 31st December 1931."

Mr. Fazal Rahimtullah said the policy of the House regarding the purchase of Company Railways was definitely laid down. He did not agree that financial condition of the Government required postponement, but, in view of the financial position of the Company, and the fact that the AcWorth Committee itself had made an exception in the case of this railway he was agreeable to postponing the purchase by a year. In any case the Railway must be purchased by 1936 because in 1941 they must purchase the B. B. and C. I. Railway. He hoped that in future, Government would carry out the policy of the House and no occasion would arise for the protest against the Government for not carrying out the duty laid down by the House.

Mr. Krishniah Chowdhury also spoke in favour of the amendment and urged Government to take a broad national outlook and push forward the policy of State management of Railways.

Dr. Ziauddin Ahmed asked how a Government which could sink crores in building Lucknow and Cawnpore stations and in the Kalayan Power House could say that it had no money to purchase this Railway.

Sir George Schuster:—made a stinging speech on the motion. The speech included important observations relating to the financial and political aspects of the present situation in the country. He said:—

"The Government are prepared to accept the amendment which has now been moved, but a good deal has been said on the financial policy in the course of this debate and I should have thought it necessary in any case to intervene and make quite clear the position of the Government on those points that have been put forward. It becomes all the more necessary that I should make the Government's



position clear on these points, now that the Government are going to accept this amendment which has been moved. I find myself in some difficulty in dealing with all the various points that have been raised, but I do not wish to take a very great deal of the time of the House and if I were to deal fully with all those points I should have to enter into long explanations of the whole financial position. I will try, Sir, to be as brief as possible.

"I must at the outset express my view that it is both natural and right that in debating a question of this kind the financial position of the Government should be brought up, for personally I have always held that in spite of the so-called separation of railway finance railway matters and particularly the question of capital expenditure on the construction of new lines or on the purchase of existing lines should be considered. Railway policy on these matters has such intimate connection with the general financial position of the Government that the railway policy and the financial policy cannot be discussed or kept in water-tight compartments. They must be discussed together and both must be kept in view if sound decisions are to be reached. That, Sir, is the doctrine which I know is held by many of my honourable friends opposite who have taken part in the debate and if there has been any suggestion in their speeches that they desire the Government to take every opportunity to purchase company-managed lines regardless of the effects on the general financial position of the Government, I do not really believe that they wish to push the argument to any unreasonable or unconditional conclusion, but rather they were actuated by a desire to leave the Government under no misapprehension as to what is the strong feeling of the House on those matters. If they wished to go further than that, I should be tempted to presume to offer them a word of advice or perhaps rather to sound a note of warning to the effect that when perhaps in the course of time they come to change the role of irresponsible critics for the responsibilities of Government which they are so anxious to assume and of which I personally should be so willing to divest myself (hear, hear), they will find that attractive principles cannot always be applied regardless of facts. Sir, we have got to face facts in these matters and unfortunately many of these facts are beyond our own control.

#### ALL RESOURCES ALREADY EAR-MARKED

"My friend Mr. B. Das with his accustomed ingenuity has suggested various means for evading the facts which my honourable colleague has quoted as affording obstacles in the way of immediate purchase. He suggested in the first place that we might utilise our share of German reparation receipts to finance this purchase. But as this House knows full well, as a result of the clause which was inserted in the Finance Bill of this year, those German reparation receipts now go into our current revenue and are necessary for the balancing of our budget. We rely on them already for other purposes. Another speaker, I think, suggested that we might use the Railway Reserve Fund, but that fund is also earmarked for a special purpose. It is a reserve for the existing undertakings and even theoretically it ought not to be regarded as available for the purchase of additional railways. From a practical point of view, of course, the suggestion has even less value because as all hon. members know, the Railway Reserve Fund is merged in the ordinary balances of the Government and therefore the Government themselves would have to find the practical difficulty. In fact as regards both suggestions we are face to face with the inexorable fact that if we use any of our existing resources for this purpose those resources will not be available for other purposes for which they are already pledged.

#### LONDON BORROWINGS

"When again my friend Mr. B. Das says, and the question has been repeated this morning, why we should borrow money in England at 6 per cent when we can obtain it in India at a very much lower rate, I am afraid, again, that it is a suggestion which is of little practical value. There are two points. In the first place if Hon. Members will refer to the existing quotations for rupee securities they will find the rates prevailing are not so very much lower than on our sterling securities in London and the amount of saving to be effected by borrowing money in India would not be very great. But, Sir, there is another difficulty of a more practical nature. We have to find this money in sterling. If we borrow in India we have to borrow in rupees. Therefore if the proceeds of an Indian loan are to be of any use, I have to convert these rupees into sterling. The question is, "How can I do it." That again brings me face to face with another of those inexorable facts. To answer that question fully would take me into the whole controversial field

of currency policy and the question of sterling borrowing. I do not wish to enter into that field to-day but I may explain the question quite simply. The amount of rupees that we can convert into sterling depends on the balance of trade. If there is a favourable balance of trade, if India's exports exceed India's imports by rupees sixty crores in any year, then if no other factors intervene, India can convert the rupees sixty crores into some form of foreign currency, but there are other demands on that surplus balance. In the first place as all honourable members know a very large amount of gold and silver is imported by India every year. I have always said that if the Indian public would change their habits and would start the habit of investigating their savings not in precious metals but in productive undertakings, India could raise by internal loans all the capital that she requires both to buy up these foreign companies and to buy locomotives and rails and other materials which so far have to be purchased abroad. But we have not reached that stage yet and at the moment as every one knows there are special factors which have intervened to make difficult the exchange position, factors which are influenced by a desire to embarrass the Government, but which I think have resulted in starting a process which threatens rapidly to ruin those who have set those forces at work. I do not wish to dwell on this point now, but as regards my honourable friend Mr. B. Das's suggestion I will only say this, that as things are now it would be an extremely unsound financial policy for the Government to commit themselves to find sterling funds for capital expenditure without providing themselves with external capital to meet them. I anticipate no difficulty in meeting the current requirements of the Government, but when capital expenditure is concerned we should only be weakening our position if we undertook to make payments in foreign currency without borrowing foreign currency to meet them.

"That, Sir, is a sufficient summary. I think, of the present situation. I would turn now to the arguments advanced by my honourable friend, Mr. Chetti. His points, I think, were briefly as follows. He said: 'You ought not to force the Assembly to take a decision now. We have not had time to consider the matter. He then went on to develop a very practical line of argument. He admitted, I think, that the special financial difficulties which exist at present were very great and for that reason, it might be very disadvantageous to attempt to raise money now but he said, 'You only have to find money by the 31st December 1931 and by that time things might be better. Therefore you ought not to lose that opportunity.' I think, if I remember his words correctly, he said, 'If good sense prevails conditions may be better by the end of 1931.' Sir, I will echo those words 'If good sense prevails.' That is the great need of the country to-day and I venture to agree with my honourable friend that if good sense would really prevail and it all the forces which are now opposing Government would work with us for the common good, then with that joint effort Indian credit could be restored to its former level and even above it, and if on top of this again, as part of that joint effort, Indians would for a patriotic purpose join in taking special courses, for instance, Indians sent in subscriptions to the railway loan, all the exchange difficulties would disappear. Foreign borrowing would be unnecessary and the country could indeed carry out that policy which honourable members have so much at heart.

#### WHAT MIGHT HAVE BEEN

"Sir, I do not wish as I have said to enter upon a controversial field, but as I contemplate the difficulty and the distress into which the country is now plunged, I cannot refrain from some comment on how things might have been. My honourable friend Mr. Chetti has asked us to take into account the hope that they may be better in the future. I am oppressed by the certainty that they could have been infinitely better at present if the present disturbances had not been started. I venture to say that Bombay at least would have been enjoying a boom this summer. The cotton mills with the new protective duties would have been prosperous. The Government, with a low borrowing programme, would have encouraged confidence in Government securities and we should have seen a rise of at least five points all round in all Government securities. The banks then would have recovered the losses which they have been suffering on capital depreciation in their holdings of Government securities during the last few years, and a general feeling of confidence and cheerfulness would have prevailed. With confidence restored owing to the good sense of the country I should not have been forced to borrow in London at the rates which have recently been necessary and we could have undertaken a purchase of this kind without any disturbance at all in the Government's financial position.

## FINANCIAL DIFFICULTY ABOUT PURCHASE

"Sir, let the hon'ble members look upon that picture and upon this which is before us. Now, Sir, I do not wish to say any more on the general position. I have informed the House that the Government are prepared to accept this amendment, but as I said at the beginning, I wish to make perfectly clear what the Government's position is in the matter. It may be, indeed I pray that it will be, as the honourable friend has suggested that things will be better next year. I would remind the House that we shall then be face to face with the need for a decision on the purchase of the Bengal and North-Western Railway. This question on which the Government have to give notice by the end of December 1931 will involve a sum of about 12 millions and the two propositions will then have to be considered together with all the other needs of the Government. Now if we can only succeed in obtaining this period of delay for a decision as regards the purchase of the Assam Bengal Railway I think that it will be a very fortunate result. For, I think it is proper that these two propositions should be considered together. I can give this undertaking to the House that we, on our side, will do our utmost to find ways and means of giving effect to the desire which I know is felt so widely for the purchase of the railways but we are not in control of those inexorable facts to which I have referred. We must now face the fact that our financial position next year will not be as good as I had hoped it would be when I brought forward my budget proposals at the last Delhi session. We must face a deficit as a result of the present subversive propaganda and we cannot look with great confidence now on Government's position next year. Then we have other needs to consider. We can not devote all the capital resources of the Government to railways. We have to consider irrigation projects to which we are already committed and which we have to find money to finance. I would venture to remind the honourable members that the Government of India carries this very responsible position of acting as a banker to all the provinces. I cannot refuse to find funds next year for completing the Sukkur Barrage scheme. I cannot refuse to find funds for helping the Provinces and the Bahawalpur State for financing the Sutlej irrigation scheme. My hands are tied and these are the facts which I have to face. As I said before all these propositions must be considered together. At the same time, for that very reason that there is still hope that things will improve, I personally welcome this appeal and as I have already said, we will do our best to meet the wishes of honourable members and we will not abandon hope.

"I might say that this resolution has been brought forward in a spirit of hope and I would venture to remind the House of that Greek legend of Pandora's box how Zeus when he was anxious to punish the world for the theft of fire by Prometheus (which perhaps I might compare with the disease of Self-Government now inaugurated by the Swaraj Party) gave Pandora a box with strict orders that it should not be opened as it contained all sorts of evils, but the box was opened and diseases such as, famine, war, pestilence and evils of all kinds were let loose on the world, but looking into the box it was found that the lid had been closed and there was still in the box a small figure crouching in a corner, the figure of hope. Therefore, Sir, let us accept this resolution in a spirit of hope and feel that even in these material matters spiritual interests are involved." (Applause.)

The amendment was carried unanimously amidst applause and the President in bringing the session to a close said :

"We are now at the end of our career. This is not only the last day of this brief but crowded and important session but also the last day of the sitting of this Assembly. Before I announce the adjournment *sine die* I would request the Hon'ble members to do me the honour of shaking hands with me. I do not know how many members present will come back though I wish them all good luck in their election campaign."

The House was then adjourned and the members said good-bye to the President.

-----

# The Council of State

## IMMEDIATE SELF-GOVERNMENT

The first sitting of the last session of the Council of State was held at Simla on the 9th JULY and was confined to informal business besides answering over questions. Next day, the 10th JULY, Sir Phiroze Sethna moved a resolution urging on His Majesty's Government the necessity and desirability of meeting India's demand for the immediate establishment of full responsible government, both provincial and national, and of Dominion Status subject only to such reservations as should be considered essential to the transitory stage and to such provisions as may be required to safeguard legitimate interests.

He said that India's fate did not rest in the hands of Lord Irwin alone. It was true that Mr. Wedgwood Benn was also sympathetic towards Indian aspirations. But here again the present Secretary of State alone could not do everything. Yesterday's article by the ex-Secretary of State for India, Lord Birkenhead, in the *Daily Express* asking the Viceroy not to express any opinion on the Simon Report and protesting against showing of any imbecility in the form of general amnesty was a clear enough indication that India's fate did not rest in the hands of Lord Irwin or Mr. Wedgwood Benn alone. His Majesty's Government had a great responsibility in the matter. Sir Phiroze traced the growth of the Congress movement resulting from the absence of assurance by the Government that the London Conference would not meet to frame a Dominion constitution and the starting of the civil disobedience movement to which the Liberals were opposed. Despite opposition to it on many grounds, there were clear signs of the possibility of the movement being replenished by the steady flow of fresh recruits, for such was Mahatma Gandhi's sway over the masses.

The nationalist movement was directed to the attainment of Swaraj and it would be foolish to think that this was desired only by the Hindus. Mahatma Gandhi and Pandit Motilal Nehru had expressed themselves in favour of Dominion Status if immediately expressed and that was what the Liberals demanded. There would be no end of trouble if even this was not conceded. The doctrine of gradualness propounded by the Simon Report must be abandoned, for it had now lost all contact with the reality and the vital and fundamental conditions of the problem. The difficulties in the way of the establishment of Swaraj as detailed by the Simon Commission, such as defence, ought not to frighten them out of their wits or need postpone the realisation of India's destiny as the Dominion. Any constitution falling short of a Dominion, India was in honour bound to reject and would only embitter and prolong the struggle.

Incidentally Sir Phiroze Sethna severely criticised the Bombay Government for issuing leaflets stating that the idea of supporting Indian banking and insurance companies and shipping institutions was not practicable and would lead to great harm to the consumer. He described this as stupid, mischievous and idiotic propaganda and the Government that was responsible for it must be ashamed of it, for it had ruined its own reputation for sanity and honesty of purpose.

Mr. Khaparde advised Sir Phiroze Sethna to withdraw the resolution and see that the curtain fell on it, for it was unwise to embitter the present position by repeating demands which the Government were aware of and were already acting upon.

Munshi Narayan Prasad Asthana urged the Government to accept the resolution and thus prevent the tearing up of relations that had long existed between India and England. He condemned the repressive regime and asked England to make a choice between ruling India by the sword and by friendship and goodwill.

Mr. Natesan emphasised that the resolution embodied the demand of the Liberal Party and attributed the present bitterness in the country to the incapacity of some authorities in the provinces to handle the situation. The time had come when the Government of India should identify itself with India the demand for Dominion Status in the same spirit which Lord Hardinge displayed when he supported India's

fight in respect of Indians' right in South Africa. He appealed to Britain to give India self-government without bloodshed, without listening to the advice of that evil genius of British statesmanship, Lord Birkenhead.

*Sir B. L. Mitter*, Leader of the House, on behalf of the Government in a speech, later described by several non-officials as soothing, said that the Government of India, as the Viceroy had said yesterday, was anxiously examining the Indian problem in all its bearings and it was not wise of the Council to precipitate their opinion without a full consideration of all the materials on the question of meeting India's demand and overcoming the obstacles mentioned by the mover. Lord Irwin had assured India that he proposed to meet the ruling princes and also representatives of different views and interests in British India. The Government of India could not at this stage express a definite opinion as demanded by Sir Phiroze Sethna. The attitude of the Government of India was eloquently expressed by the Viceroy when he said that the attainment of Dominion Status was the natural completion of India's constitutional growth and from this point of view the Viceroy and his Government were approaching India's constitutional problem with sympathy. The Government were engaged in finding a suitable solution of the obstacles in the way of the attainment of this ideal and so Sir Phiroze Sethna's remedy was present in the minds of the Government. Sir B. L. Mitter therefore advised Sir Phiroze Sethna to withdraw the resolution and assured the Council that the Government would forward the contents of the debate to the Secretary of State.

*Lala Ramsaran Das* said that the recommendations of the Simon Commission were hope-killing and hence the resolution required to be carried by the Council as embodying the opinion of this great body and thus encourage the hands of the Viceroy.

*Mr. A. Ramaswami Mudaliar* appreciated the reply of the Law Member for it enabled all to realise the faith behind the declaration of the Viceroy and that it was shared by all the colleagues in the Cabinet. The Viceroy wanted the views of individuals to help him to formulate his recommendations to the Secretary of State before the Round Table Conference. Therefore the memorandum which the Government of India would forward to London on the reforms would be far more valuable than the Simon Report which had its own limitations. 'None of us are satisfied with the Simon recommendations and speaking of Madras I affirm they fall short of the demands put forward by the Madras Government when Sir Norman Macjoribanks was acting as Governor. To suggest a scheme of so-called provincial autonomy with the security services and even medical services away from the control of Ministers was surely a negation of autonomy. And that was what had been recommended by the Simon Commission. The report was even retrograde because it had suggested that the Cabinet secretary would be a British civilian who would supply confidential reports direct to the Governor. At present no secretary could approach the Governor direct under the rules of business. But under the Simon scheme the Cabinet secretary would in effect have overriding powers. The Simonites' suggestion to apply devolution rule 12 to the Indian Medical and Police services was open to the gravest objection. If there was one scheme which could be riddled with criticism from beginning to end, it was that suggested by the Simon Commission.'

'As for the central Government,' the speaker continuing said: 'Indians desired a potent voice, for without such control by Indians in the centre it would be difficult to maintain the honour, dignity and prestige of India as a whole before the outside world, whatever might be the reforms in the provinces.'

Mr. Mudaliar also criticised the Commission's remarks about the Army and approvingly quoted Lord Salisbury to the effect that "If we believe the soldier, there is nothing safe." The politician must have his own voice in shaping the Army policy and providing that counterpoise that was necessary to the advice tendered by soldiers. The Viceroy yesterday had said that he did not want to have victory over the non-co-operators. Mr. Mudaliar requested the Viceroy to work for that victory, for the struggle in India between the Government and the Congress was as to who would secure the allegiance of the masses. The Government could secure this by its constructive work for achieving for India constitutional progress. This was not possible with repressive measures but by a bold step to give popular control in the centre as in the provinces.

*Khan Bahadur Shah Muhammad Yahia* (Bihar), supporting the resolution, wanted that safeguards for the protection of the minorities should be settled before India was given Dominion Status. He reiterated the Muslim demand as expressed by the Aga Khan Muslim Conference at Delhi.

*Sir Sankaran Nair* supported the resolution but regretted that the Viceroy had not urged on all parties in India to bring pressure on the Congress to call off the civil disobedience movement. He also regretted that *Sir Phiroze Sethna* was mild in criticising the Congress while vehement when he came to address the Government. He assured the Council that he was not disappointed with the Simon Report, because he did not expect anything better. And yet he joined the Central Committee and acted as chairman, because he wanted to apply a break on the reactionary tendencies of the Commissioners. He believed that the Central Committee's work had its own good effect in this respect. He complained that the Government of India did not care to popularise the Central Committee's report as they did the Simon Report.

*Sir Jehangir Cojajee* described the resolution as self-contradictory for there could be no immediate establishment of Dominion Status and provision of safeguards for minorities. He also characterised the resolution as trying to pre-judge the results of the London Conference.

*Mr. H. M. Mehta* (Bombay) described the chaotic condition of Bombay and the economic disaster facing the Government of India and the provincial Governments as a result of the civil disobedience campaign and pleaded for a sympathetic and courageous solution being applied.

*Mr. Chamanjit Singh* asked the Council to rely on the Government of India presided over by a sympathetic Viceroy.

*Mr. Devadas* also did not like forcing the hands of the Viceroy and prejudging the results of the London Conference.

*Mr. Narayanaswami Chetty* supported the resolution but did not like the word 'immediate' regarding Dominion Status.

*Sir Phiroze Sethna* replied to *Sir Sankaran Nair* by assuring him that the Liberals attempted to explain to the people the evils that would result from the civil disobedience campaign but they could not get a hearing. He accused the Government of not encouraging the Liberals by a sympathetic policy. He feared that the Liberal party was already thinning and there might be many more resignations if the repressive policy was further continued. He accepted the assurance of *Sir R. L. Mitter* and withdrew the resolution.

#### TRANSPORT FOR CATTLE

*Mr. Surpat Singh* moved a resolution recommending that the Railways should allow concession rates for the transport of horses and cattle when disabled or past milching to free pasturing places or cattle asylums.

The resolution was negatived by the Council after *Mr. Woolhead* had explained the administrative and other difficulties.

#### CATTLE MEAT EXPORT

*Mr. Surpat Singh* next moved for the consideration of the Bill to prohibit the export trade in cattle meat which he introduced last session.

After *Sir Fazl-i-Hussain's* reply the motion for consideration was lost by 10 votes against 6. The House then adjourned till the 11th.

#### INDIA AND THE LEAGUE

11th, JULY :—Non-official business was transacted on this day in the Council of State. *Sir Phiroze Sethna* moved that steps be taken to give effect to the recommendation of *Sir Mahomed Habibullah* and other members of the Indian delegation to the League of Nations last year.

He welcomed the Government's announcement that the Maharaja of Bikaner, who was noted for ability, knowledge and sympathy with the aspirations of British Indians and Indians as a whole, would lead this year's delegation. But the Government should give effect to the unanimous recommendations of the six persons who composed last year's delegation. The first most important recommendation was that India should have an elected seat on the Council of the League. This was a modest request. For though India was an original member of the League and her contribution to its expenditure was greater than that of any other member not having a permanent seat, she had not yet been elected to the Council.

*Sir Phiroze Sethna* also laid stress on other principal recommendations, namely, that the composition of the delegation must be purely Indians with a view to avoid creating the impression that Indian members of mixed delegation were in the leading strings, that there must be continuity in its composition so that the views of the

delegation might command greater weight, that permanent representatives be appointed at Geneva so as to keep the Government of India better informed about the affairs of the League and the distrust of Indians regarding the League be removed. He urged that a standing advisory committee of the legislature be constituted for considering all matters arising in regard to India's membership of the League. He appealed to the Government to accept the resolution to make the League a real powerful force making for the peace of the world.

*Sir Brajendra Mitter* in a lengthy speech emphasised that the Government were giving effect to some of the recommendations. They were unable to accept the other recommendations, at present, but were not unsympathetic. The Indian delegation under the existing constitution received instructions from the Secretary of State who had the constitutional right of supervision over the delegates. The Secretary of State was indeed the nexus between British India and the States and as such had the controlling authority. So long as the States were not represented in the Central Legislature the Indian delegation could not be under the control of the Central Legislature. India was no doubt an original member of the League but her delegates derived authority not from the representatives of the people in the central Legislature but from the Secretary of State and to that extent her position and influence in the League was impaired. India was on the eve of constitutional revision and, therefore, this was not the proper time for India to press upon the League for a seat on the Council, for it might meet with a rebuff which might prejudice India's claim for the future. Such being the case this was also not the time to press for the location of permanent representatives at Geneva.

Regarding the appointment of Indians on the League office his question was purely in the discretion of the Secretary-General and if they kept up pressure India might get her due. But the Government of India could not take steps directly, for appointments were in the discretion of the Secretary-General who was known for his sympathies.

As for a committee of the Central Legislature on League matters, *Sir B. L. Mitter* pointed out that the commerce, education and industries departments had their separate advisory councils and there was, therefore, no need for a separate committee whose functions might overlap those of the departmental committees. Nor was there any need for a separate officer in India for League affairs, for work had not grown to such an extent as to require one. But if it ever grew then the Government would have no objection to the creation of such a post.

*Sir B. L. Mitter* assured *Sir P. Sethna* that every attempt was being made to secure the continuity of delegation as far as possible and the Government would keep this fact in mind. But the Government could not bind themselves to exclude Englishmen from the delegation on racial grounds if they possessed special qualifications making their appointment desirable. They had not many persons with knowledge of international law in India and on questions specially like disarmament, Englishmen were better qualified to represent the case on behalf of India. However, as regards the desirability of selecting delegates from the Central Legislature, *Sir B. L. Mitter* informed that in this year's delegation they were trying their best to secure one or more members of the Legislature.

Concluding *Sir B. L. Mitter* requested *Sir P. Sethna* to realise the dilemma in which he would be placing the Government if he pressed the resolution.

*Sir P. Sethna* withdrew the resolution after emphasising that it should not be difficult to secure from those once selected such persons as would be prepared to act as delegates for at least two or three years. He accepted the assurance of *Sir B. L. Mitter* that the Legislative Department had machinery required now for dealing with League matters. Regarding permanent representation at Geneva he appreciated *Sir B. L. Mitter's* advice to wait till 1932 when the constitution might be revised. He was glad that *Sir B. L. Mitter* fully realised the inferior position now occupied by India and the need for Dominion Status. *Sir P. Sethna* trusted that *Sir B. L. Mitter* would strengthen the hands of the Viceroy in his fight for Dominion Status and that *Sir Fazl-i-Hossain* also would do so as every Indian expected him to do. Concluding, *Sir P. C. Sethna* criticised the latest speech of *Mr. Churchill's* against Dominion Status within the life-time of the present generation when he was pulled by the Chair on the ground of irrelevancy and *Sir P. Sethna* concluded by stressing the opinion that if Dominion Status was not to be obtained within the life-time of the present generation, then India should sever her connection with the League of Nations.

# THE COUNCIL OF STATE

## SARDA ACT AMENDMENT BILL.

[SIMLA

*Mr. Surpat Singh* then moved the consideration of the Bill to amend the Sarda Act so as to permit marriages between boys of less than 18 and girls below 14 years of age, provided a certificate therefor was previously obtained by guardians after satisfying a civil court (district judge) on conscientious grounds and peculiar family reasons. He emphasized that the Bill did not aim to frustrate the salutary provision of the Sarda Act but to provide for exceptional cases regarding which wisdom dictated exemption and thus to make the Act acceptable to all parties.

*Mr. Emerson*, Home Secretary, moved an amendment for the circulation of the Bill for opinion. He reminded the Council of the answer given by Sir James Crerar on March 19 that certain Bills which had been introduced or notice of which had been given would be circulated for the opinion of local Governments by executive order. In pursuance of that undertaking this and other Bills had been circulated and the Government of India awaited the receipt of those opinions. In the meantime they had formed no opinion whatever of their own in regard to the merits of this Bill or other Bills. Nor, indeed, were they in a position to form an opinion.

*Lala Ram Saran Das*, supporting the bill, started quoting Vedic authorities when he was told by the Chair that the Chair was not convinced of the relevancy of those quotations to the motion before the House. *Lala Ram Saran Das* said these quotations might be of use to those to whom the Bill was sought to be circulated for opinion.

*Mr. Ramaswami Mudaliar* opposed Mr. Emerson's circulation amendment as it would give the people the impression that there was a chance of amending the Bill which would be disastrous to this Act. To the very point which Mr. Surpat Singh mentioned two select committees had given the best consideration and amendments were moved when the Bill was under discussion and disposed of. There was the opportunity for local Governments and public bodies to express themselves at that time. Now where was the need of inviting opinions? Was this fair to those who carried an intensive agitation for the Sarda Act or to those who voted for it? He was afraid that this disciplined strong Government always trembled whenever social obscurantists raised the cry of 'religion in danger'.

*President*.—These remarks have no relevancy to the motion for consideration of the Bill if that motion comes up at all.

*Mr. Ramaswami Mudaliar*.—I have always felt it difficult to make my speech in this House. Not that I have been unaccustomed to speak elsewhere, for I had been a member of the provincial Legislature for six years. But in this House I do not know how it happens that I find it difficult to follow the rules of procedure. You will pardon me for the limitation under which I am suffering. I am opposed to the circulation of the motion, because it will give the impression to the country that the Act is going to be repealed.

*President*.—This is what the Hon. Member said before and I can't allow him further latitude to repeat his own arguments.

*Mr. Ramaswami Mudaliar*.—Then the best thing I can do is to resume my seat.

*Sir Sankaran Nair* also opposed the amendment. He asked, was the Government going to keep an open mind and re-open the question of child marriages and allow such marriages as Mr. Surpat Singh desired if the guardian obtained a certificate. This was against the observations of Sir James Crerar that the Legislature alone should decide the age of marriage and not the courts.

Mr. Surpat Singh accepted the amendment.

The motion for circulation was carried by 32 votes against 9, the latter being Sir P. Sethna, Sir Sankaran Nair, Mr. Narayanswami Chetty, Mr. Mudaliar, Mr. Natesan, Mr. Mehta, Mr. Asthana, Mr. Devadas and Mr. Nirmal Kumar.

The Council then adjourned till next day.

## OFFICIAL BILLS AND RESOLUTIONS

**15th. JULY.**—The Council of State in a half hour sitting adopted without discussion two official resolutions both moved by Mr. Woodhead, Commerce secretary, one urging the Government to examine the draft convention and recommendations passed by the International National Conference relating to workers employed in loading of ships, etc., and submit a report within 18 months and the other ratifying the draft convention concerning the marking of weight on heavy packages transported by vessels.

Six official Bills which came up from the Assembly were all passed by the Council.



cil of State in a half an hour sitting on the 17th. JULY with no speeches on the non-official side, only the Government members making a few observations on each Bill. The Bills were the Lac Fund Bill, the Negotiable Instruments Bill, the Forest Bill, the Telegraph Act Amendment Bill, the Bombay Civil Courts Act Amendment Bill and the Hindu University Bill.

#### HINDU GAINS OF LEARNING BILL

18th. JULY:—The last sitting of the Council of State, was held on this day with three non-official bills passed by the Assembly on the agenda. Of them the controversial was Mr. Jayakar's Hindu Gains of Learning Bill standing here in the name Mr. Desikachari. Mr. Desikachari moving the consideration of the Bill pointed out that no protests had been received since the Bill had been published. He elaborately explained the provisions of the Bill as outlined by Mr. Jayakar in his statement of objects and reasons.

The President asked Mr. Khaparde to explain his motive on tabling an amendment that the discussion of the Bill be postponed till the next session in order to ascertain whether he wanted the Bill to lapse after the next session.

Mr. Khaparde said that he wanted time to think over the Bill as it embodied various changes in the Hindu joint family system. It took 60 years in England to pass a law allowing marriage with deceased wife's sister. But in India this important law of inheritance was sought to be passed in a short session without adequate time for the consideration of all interests. He advised the Council to call time to counsel and hasten slowly. Change must come in time, not before time.

The President asked Mr. Khaparde what would happen if the Bill lapsed after the impending dissolution of the House.

Mr. Khaparde replied that the Executive might not dissolve the House and, at any rate, he did not want to rush forward with the Bill. Even if the Council was dissolved then it was open to the supporters of the Bill to bring forward the same Bill again.

The President appreciated the ingenious arguments of Mr. Khaparde but as it was common knowledge that the Council would be dissolved shortly he ruled Mr. Khaparde's amendment out of order.

Mr. Khaparde opposing the consideration of the Bill said that the assumptions underlying the Bill were wrong and all stay-at-homes were not necessarily idlers..

Mr. Narayanaswami Chetty welcomed the Bill which was then taken into consideration, Mr. Khaparde being the only dissident.

There was a discussion on Clause 3 to which Mr. Khaparde moved an amendment, namely, that the provisions of sub-section 1 shall not apply to any gains of learning unless the acquirer had repaid to the joint funds of his family any amount expended to the detriment of the joint family funds in imparting such learning to the acquirer. Mr. Khaparde maintained that this amendment was necessary on the grounds of equity.

Mr. Ramaswami Mudaliar opposed pointing out that the amendment would further restrict the present law, that it was unworkable and that it went much further than the mover's intentions.

Mr. Chari said that learning was a gift and not a matter of contract or a bar to gaining. The amendment was lost.

Then all the other clauses were passed, Mr. Khaparde being the only dissident throughout.

Mr. Chari thanked Mr. Jayakar and the Government for the passage of the Bill.

On the motion of Mr. Ram Sarandas the *Court Fees Amendment Bill* of Mr. Harbilas Sarda was passed and on the motion of Mr. Shah Muhammad Yahya the *Mussalman Waqf Validating Bill* of Mr. Ghuznavi was passed without discussion.

The President before *adjourning the Council sine die* bade good-bye to all members of the House as not only the session was closed but also the life of the second Council was terminated. He expressed a deep sense of gratitude to all the members for the co-operation they gave the Chair and the assistance they rendered. The Council had added to its tradition and maintained and enhanced its reputation and dignity. The President then shook hands with all members.

# The Legislative Assembly

## Police Terrorism in Contai

*The following is the full speech of Mr. K. C. Neogy on what happened in Contai and is in continuation of page 165 :—*

Speaking in the Legislative Assembly on July 12 on the censure motion of Mr. Shah Nawaz for inadequate and unsatisfactory suggestions and recommendations of the Simon Commission and the Round Table Conference, Mr. K. C. Neogy (Dacca Division Non-Mahomedan Rural) said :—Sir, I think my Honourable friend, Mr. Farookhi, did right in trying to focus the attention of this House on the great desirability of securing a proper atmosphere for the holding of this Conference in London. I was rather distressed to note His Excellency the Viceroy's observation when he addressed this House last, to the effect that the Government were determined to prosecute their fight against the civil disobedience movement. I have no quarrel with the Government in their desire to uphold law and order. Indeed, my very presence here to-day ought to signify that I have nothing in common with the civil disobedience movement (I hear, hear) : but what I maintain is that if the Government must fight, it must be a clean fight : and I am here to-day, Sir, to tell this House from my own experience that the fight has been anything but clean so far as my experience goes. I was rather interested to hear the Honourable the Home Member while he made an interruption during the speech of my Honourable friend, Sir Cowasjee Jehangir yesterday. He said, with perfect naivete, that he did not know that innocent persons had been assaulted.

The Honourable Mr. H. G. Haig (Home Member) : That is not what I said, Sir.

An Honourable Member : He said that he did not know that innocent persons had been deliberately assaulted.

Mr. K. C. Neogy : The Honourable the Home Member inquired as to whether innocent persons had been deliberately assaulted. Sir, I am here to tell him that every word of the accusation that fell from my Honourable friend, Sir Cowasjee Jehangir, on this point is true, and that what is happening in Bombay is happening almost all over India. Either the Honourable Member chooses to keep his eyes shut, or he is incompetent to hold his present office. Sir, from my own experience I have found that it is nothing but the spirit of General Dyer, nothing but the spirit that prompted the Jallianwala Bagh that is stalking this land. Jallianwala Baghs are being enacted every day all over India and if the Honourable the Home Member pretends ignorance about it, all I can say is that he is not fit to discharge the obligations of his office and that I do not consider that he is loyal to His Excellency the Viceroy because I have no doubt about the sincerity of His Excellency in his desire to promote an atmosphere of peace and goodwill in this land so that this Conference may come to useful conclusions.

Sir, what I have seen with my own eyes in Bengal enables me to bear testimony to the reign of terror that has been instituted during the Haig-Emerson regime. I do not know whether the Honourable the Home Member care to read all that appears in the newspapers. But the reports that have appeared from time to time in the various newspapers, particularly of Bengal, contain enough evidence of what I am alleging here. The Government, however, instead of taking the straight-forward course of prosecuting any of these newspapers for any alleged misrepresentation of facts, have promulgated the Press Ordinance in order to gag the Press. I will not draw the attention of the Honourable the Home Member to the reports that have appeared from time to time in the daily newspapers of Bengal or in the periodical Press, but I should like to know if his attention has been drawn to the pictures that have appeared in these papers. Sir, men may lie, even Government officials may lie, but I do not think the camera lies. Here is a photo of a ten years old boy beaten senseless by the District Magistrate with his hunting crop. He is lying in the laps of three ladies. This appeared

in a leading periodical on the 1st of May. Has any action been taken against this publication? Have the Government taken any notice of it? Will it merely do for the Honourable the Home Member to get up in this House and say that all that appears in the Press is false? That is hardly sufficient: things have gone too far now.

Sir, I will now come to another story. When these allegations about the excesses of the police began to reach us in Calcutta, we held a conference of a number of responsible men, because at the present moment it is not possible to hold a public meeting in Calcutta, thanks to the promulgation of section 144 of the Criminal Procedure Code. The conference decided to appoint a non-official committee of inquiry to go about and see things for themselves and make a report. The Chairman of this Committee was Mr. J. N. Basu, M. L. C., President of the Indian Association which is the leading liberal body in Bengal. I am very pleased to find the Honourable the Law Member in his seat to-day, because I want him to tell this House as to whether the testimony of Mr. Basu can be relied upon. I understand that Mr. Basu has been selected as one of the members of the Indian delegation to the Round Table Conference. It may or may not be true but I do not think the Honourable the Law member would question his competency to represent India at that place. Mr. J. N. Basu was the Chairman of this Committee, and the names of the other members are as follows:

Mr. Akhil Chandra Datta, Senior Advocate, who was in the Bengal Legislative Council for many years. He sat there even during the Morley-Minto days. Mr. B. N. Sasmal, Barrister, an ex-M. L. C., Mr. P. Banerji, a present Member of the Legislative Council, who fought the Congress and defeated the Congress candidate, Dr. J. N. Maitra, another ex-M. L. C. who is a very eminent physician of Calcutta. Then there was myself and a Professor, Mr. P. R. Sen of the Calcutta University, who has so far taken no part in politics, myself and Professor Sen being the Secretaries of this Committee. The first place we went down to was Contai, wherefrom most of these reports had been coming. Now, what happened the very first morning when we went out to visit certain localities from which we had received certain definite allegations? The first thing that happened to us was that we got arrested all of us, including Mr. Basu (Cries of "Shame, Shame" from non-official benches). Will the Honourable Members bear with me when I give the circumstances of the arrest from the report of this Committee and may I pause and tell this House as to how effectively the present Government policy has been operating in Bengal. We have found it impossible to get this report, unanimously signed as it is, published in any newspaper, except in a garbled form, because every little thing that has a bearing on incidents of a certain kind and which is to appear in the Press has got to be submitted, first of all, to an officer whose name I find it difficult to pronounce. I am told he has been appointed as a sort of Press censor. And what is more remarkable is that there is not a single printing press in Calcutta, which is prepared to undertake the printing of this report. This is the letter which I received from the Joint Secretary. It is dated the 7th. July. He says:

"I have been unable up till now to find a press which is prepared to undertake the printing of it."

This is the position. The main purpose why I came here this time was that I wanted to find some place somewhere where I could put the findings of this Committee on record. Sir, now to resume my story. At about 7-30 A. M. on the 25th May, 1930, the visiting members left for a place called Pichaboni which was at a distance of about 6 miles from Contai and which was one of the localities in connection with which complaints had been made. When they were nearing Pichaboni, several villagers came up to the cars in which the visiting members were travelling and requested them to stop. Many of the villagers, who appeared to be in a state of panic, complained that some officials and policemen had visited their houses that morning, a short time previously, and had beaten them with lathis and had destroyed a great part of their belongings at their houses. Some of the men showed fresh marks of assault on their bodies. With a view to ascertain the truth of the statements about destruction of property, the members decided to visit the house of some of the complainants. They crossed some fields on foot and went to Subranadighi which was the village nearest to the point where their cars had stopped. They saw at a distance some officials and some policemen passing near the village with lathis and guns. The visiting members went into the hut of Bhim Charan Samanta, where they found very recent signs of a raid. Most of the domestic articles were

scattered about and many were broken. Parched rice and ghee were found scattered on the ground. Some gunny bags containing seed grain and other grains had been torn open and a large part of the grain had been scattered about the courtyard. They were told that policemen had entered the house that morning, and though there was no resistance or opposition of any kind from the inmates of the house, the policemen had without any cause destroyed the belongings which mean so much to a villager. (Cries of "Shame, shame," from non-official benches.)

"While the members were thus engaged in inspecting the nature and the extent of the devastation inside the hut, an official entered it followed by police constables, who had guns and hatchets."

Mark these words, I do not know whether the Honourable the Home Member has laid down any regulations for the police to carry hatchet as arms. This official asked them as to what they were doing there. He was told that the members had come from Calcutta to make an inquiry to ascertain the proof of complaints made in connection with certain happenings at Contai, and they were inspecting the house to ascertain the truth about the complaint regarding loss of any damage to property. The official, who was the Sub-Divisional Officer, stated that the members were inciting the people. He was told that his statement was not correct and that the visiting members were only ascertaining the facts. To cut the long story short, we were arrested and taken to the police camp. Then on our way we found a large crowd near the police camp who had gathered to manufacture salt. The Sub-Divisional Officer stated: "You have been inciting these people." We said that we had nothing in common with them and that we did not believe in that sort of thing. So we continued there under arrest for some time. Then after a time we were released. We said that we were going to tell those people that if they continued manufacturing salt in this way, our inquiry would be hampered, and we would try our best to induce them to go back to their villages so that we might carry on the inquiry in a peaceful and judicial atmosphere. Now, what did we see when we met these people? Some people came up to our cars and showed marks on their bodies of hurt inflicted by the police, which they stated, had been inflicted without provocation. Some of the wounds were fresh and looked as if the same had been inflicted within a short time. One man, who was unable to move and appeared to have been severely beaten, was carried on the shoulders of the persons. An aged man said that he had been assaulted that morning by the police without provocation while he was following the Sub-Divisional Officer and the members of this Committee at a distance, as we were being marched to the police camp. This man's fault was that he has been following us and he had been assaulted almost in our very presence.

"They found Indra Jana's wounds fresh and his cloth had fresh stains of blood. An elderly woman named Surja also showed her arm which had been severely injured causing bleeding and swelling."

We saw all these things as we were coming back to the village from which we were arrested. The Report proceeds:

"Then they re-entered that village and went to the house of Mahendra Nath Samanta and made notes of the damage which they saw there and which was said to have been done by the police that morning. The Members found that a large number of earthenware vessels in the house had been broken, some books"

Perhaps those primary text books belonged to some children of the house

"some books and papers had been scattered about in the verandah and in the courtyard, a part of the thatch of the roof with the framework had been pulled down. Some paddy bags had been cut open and part of the contents had been strewn about and some pumpkins smashed. The members next visited the house close by where they found a girl about 18 years old in an advanced stage of pregnancy. Her name was Ambu. She was lying down on the verandah apparently still suffering from shock and pain. She was breathing with difficulty. Her eyes were closed with tears trickling. She made her statement with some difficulty. She complained of her breast being twisted and of her being kicked on the hip." (Shame.)

Now, Sir, all this happened in the presence of the Sub-Divisional Officer. The Committee in another place go on to refer to this particular case and say:

"At Subarnadighi, the girl in an advanced stage of pregnancy was found to be breathing with difficulty, tears trickling down from her eyes, and she bore marks of

molestation on her person. It is surprising that a case like this should have happened with a Magistrate accompanying the police party. The girl was not physically capable of creating such troubles as might lead to her being assaulted. She had also no time to concoct a story as the Members arrived at her house soon after the police left her house."

The Honourable Mr. H. C. Haig: Is the Honourable Member aware of the the communique issued by the Government of Bengal on 2nd June, referring to the allegations of assaults on woman in Contai, which contain these words:

"Government have caused enquiries to be made and are satisfied that these statements are false and calculated misrepresentations of the facts."

An Honourable Member: It is a lie.

Mr. K. C. Neogy: It is a deliberate lie. I want an opportunity to publish my facts and my Honourable friend might prosecute me for that if he has the courage to do so. We are familiar with such communications emanating from that manufactory of lies known as the Bengal Secretariat.

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran: Non-Mahomedan): Nobody believes that communique; certainly not we.

Mr. M. R. Jayakar (Bombay city: Non-Mahomedan Urban): Is the Honourable Member in a position to state through whose agency the Bengal Government made these enquiries?

The Honourable Mr. H. G. Haig: I have no information other than the Government communique.

Mr. Gaya Prasad Singh: Is that all?

An Honourable Member: That is absolutely useless.

Mr. K. C. Neogy: I will not dwell on this part of the story any further. Now, Sir, when we were recording the statement of this girl, some officials again came up and took us away saying that the Sub-Divisional Officer wanted us. Thus we were prevented from continuing our enquiry in the way that we wanted and we told the Sub-Divisional Officer so. I read from the report:

"The Members told him that they were being prevented from continuing the local enquiry in the village in the neighbourhood, but the Sub-Divisional Officer pressed them to accompany him to Contai which they did: The villagers were willing to place evidence before the members. But the local officers were reluctant that the visiting members should see more than what they had seen or hear more than what they had heard."

The Committee proceed:

"A local enquiry at that stage would have been of great help in ascertaining facts, as the assaults and raids were said to have been committed within the previous hour or thereabout and there would have been no difficulty in ascertaining the nature and extent of the injury said to have been inflicted on the villagers. The Committee were surprised that anxiety should have been shown by the local officials for stopping a careful enquiry at a time when the events had only recently happened. The presence of the visiting members led for the time being to the discontinuance of manufacture of salt. There was no ground for the unfounded statement of the Sub-Divisional Officer that the visiting Members were inciting the men of the locality. They recorded statements, observed wounds and inspected damage to the property. They succeeded in dispersing a gathering of people, in order that the enquiry might proceed in a calm and judicial atmosphere. They acted with forbearance when obstructed by local officials. But though the local officials found that the presence and attitude of the visiting members led to the atmosphere becoming peaceful, with the absence of all incitement to violence, yet they tried to stifle the enquiry in the locality where evidence tendered by the villagers against the local officials and the police was fresh and the physical signs had not been obliterated."

Now, Sir, the Committee examined a large number of witnesses, including women and as a result of the examination of the female witnesses, this is what they have recorded:

"Seven female witnesses were examined, some of whom still bore marks of injury on their persons."

This was in one particular place called Kholakhali :

"All of them complained of severe assault by canes, fists and kicks. They also said that the clothes of some of them had been torn off their bodies and they produced some such clothes. A middle aged widow Kurani Dasi stated that she had been so roughly handled and pulled about that she had fainted."

Now, Sir, coming to another incident in that particular sub-division :

"On 7th June, 1930, some of the Members of the Committee visited Pratapdighi village"

Here shooting had taken place a few days previous to this—

"within the jurisdiction of the Patashpur Thana and examined 37 witnesses. At this place shooting by the police had taken place on the 1st of June, 1930, resulting in the death of two persons killed. The father of one the two persons killed was examined by the Members. A number of villagers showed marks of injury on their persons, some of them had as many as twenty or twentytwo came marks on their backs, arms, trunk and even faces. Besides loss and destruction of household articles, grain and food-stuff there were several complaints of loss of cash, one wealthy respectable villager complaining of loss of as much as Rs. 1357. About ten of the witnesses complained of loss of silver and gold ornaments. Almost all the witnesses stated that their houses were raided by the police and their utensils and other household articles were wantonly destroyed or damaged by the police. At Kharika-patna a village near Pratapdighi there is a local industry for making bangles from conchshells, the manufacture being carried on by women, some of whom deposed that a large quantity of such ornaments was destroyed in their houses. The Members examined carefully the locality where the shooting had been done on the 1st June, 1930. They found no brickbats or stone anywhere near about the place or in the village where the said shooting had taken place. There is no brick built house in the village at all."

This conclusively shows that the Government communique, in which they say that the villagers had given provocation to the police by hurling brickbats at them is false. Now proceeds the Report :

"It will be seen that some members of the Committee visited altogether nine houses in connection with which complaints had been made that local officials and their subordinates including Excise officials and peons had forcibly entered private houses and had assaulted the inmates without any provocation, and had damaged or destroyed the belongings of the villagers. They also visited six sites where general assaults by the Police were said to have been committed. Altogether 102 witnesses were examined of whom seventeen were women."

Then, the Committee go on to classify the witnesses :

"(1) Villagers on whom physical injury was inflicted or whose property was injured or destroyed while they were in their own homes employed in their ordinary avocations and were not connected with the civil disobedience movement.

(2) Passers-by who were assaulted in the public roads or in huts.

(3) Persons who were attracted to the places where salt was being manufactured or was intended to be manufactured and who were assaulted.

(4) Villagers who were engaged in the manufacture of salt and who were assaulted.

(5) Volunteers or Satyagrahis who intended to offer or offered civil disobedience and who were assaulted.

(6) Persons who had visited the localities shortly after the incidents complained of had happened or had made enquiries themselves into the incidents."

Then this Report says :

"The witnesses, both male and female made their statements in a frank and straightforward manner. So far as the statements of the witnesses at Subarnadighi are concerned, those persons had no time or opportunity to manufacture a story as the members arrived in the village very shortly after the occurrence."

Then they go on to summarise the nature of the complaints under these heads :

"(a) Unprovoked assaults on the villagers :

(b) Damage to and destruction or removal of property ;

(c) Threats and physical violence to extract promises and undertakings from the villagers ;

(d) Forcibly taking possession of buildings belonging to public bodies like schools."

We found that the police had actually commandeered some of these buildings belonging to certain public schools and they were in possession, I do not know, under what law. Perhaps the Honourable Home Member will enlighten us as to the law under which this is being done.

"(c) Provision of wholly inadequate accommodation in some of the places where men were kept in detention at Contai.

(f) Detention without charge and without trial and sometimes without trial and sometimes without food."

Now, Sir, in another part of the Report the Committee observe :

"In some cases the assault was directed not only physically to hurt the person assaulted but to humiliate him in the eyes of others. Some men were also made to rub their nose on the ground."

About damage to and destruction or removal of property, this is what the Committee say :

"The police and excise officers have the right to make houses searched under certain specific circumstances. From what the visiting members saw with their own eyes, they found that in the cases in which the police and other officials had entered the houses of the villagers there was no circumstance which could lead to a house search. If the entry into the houses was meant for the purposes of search, it was strange that such entry was not peaceful and was followed not by a lawful search but by the destruction of property and beating of the inmates. There appeared to be no justification for such violence and interference with elementary personal rights.

"The Committee do not see any justification for the breaking-up of the pots and pans, the destruction of domestic stores and food-stuffs, the smashing of vegetables and the scattering about of grain at the houses of the villagers. They fail to see how the smashing of conch-bangles, the making of which is a local industry, or the pulling down of thatch from the huts could have been of any use.

"There were also several complaints of loss of small cash."

"If the object" say the Committee "was to terrorise the villagers, the method adopted could not and did not succeed."

Of course Government, as it is being carried on at the present moment, is Government by terrorism and nothing short of that.

"As regards the shooting at Protabligi on the 1st of June, 1930, the police had prior to shooting raided some houses in three or four villages one after another and had damaged or destroyed property in those houses. Having regard to the value the villagers set on their small belongings and the great labour they had to undergo to earn the same, it can be easily understood as to what exasperation they feel when they see that those belongings are wantonly destroyed or damaged or taken away. The incident at Protabligi is unfortunate, but the acts of the police probably created a situation to meet which resort was had to shooting men who had no arms and had not even stone or brickbats to use as missiles. It should be remembered that the villagers are ordinarily of a peaceful disposition."

This is how the Committee conclude their Report :

"The villagers who mostly suffered from the oppression and who were examined by the visiting members of the Committee were not guilty of any violence. Some of them were engaged in the manufacture of salt, but they did not offer any violence and were prepared to suffer the consequences of their action. The local officials appeared to forget what law was and what their duty was under the law. They suffered acts to be done which were in breach of law and of the elementary rights of individuals. The conduct of the local officials has led to widespread embitterment of feeling."

Sir, when I went down to Contai, the first thing that struck me was that if the

people had broken the salt laws, the authorities had broken all the other laws, including the laws of morality. And His Excellency the Viceroy says that they must fight the movement. Fight with such weapons! Sir, His Excellency said that if there is a fire, the fire-brigade when it is called in to extinguish the fire may cause some damage. We unfortunately find it very difficult in Bengal to distinguish between the incendiary and the fire-brigade.

Sir, if I have spoken strongly, I apologise to this House because, having seen with my own eyes, it was impossible for me to control my feelings; and the only excuse for my intervention in this debate is that I wanted some place, as I said before, where I could put on record what I have seen with my own eyes, which Government by their policy have prevented so far from being published for the edification of the world.

---



Proceedings of the  
Provincial Legislative Councils.

July-Dec. 1930.

THE BENGAL LEGISLATIVE COUNCIL  
THE BOMBAY LEGISLATIVE COUNCIL  
THE MADRAS LEGISLATIVE COUNCIL  
THE U. P. LEGISLATIVE COUNCIL  
THE C. P. LEGISLATIVE COUNCIL  
THE B. & O. LEGISLATIVE COUNCIL  
THE PUNJAB LEGISLATIVE COUNCIL  
THE ASSAM LEGISLATIVE COUNCIL  
THE BURMA LEGISLATIVE COUNCIL

# The Bengal Legislative Council

The Winter Session—5th. Feb. to 1st. April 1930

The Bengal Legislative Council which commenced its winter session at Calcutta on the 5th. FEBRUARY 1930, with the Hon. Raja of Sawtosh, President, in the Chair, concluded its deliberations in course of one hour, after transacting some official business of the day.

Interpellations passed off smoothly and the House without a division and a speech voted the supplementary grants. A sum of Rs. 609 was voted for "Stamps", Rs. 1254 for Administration of Justice", Rs. 4992 for "Expenditure in England", Rs. 7,221 for "Pay and travelling allowance of the officiating Commissioner of Excise and Salt", Rs. 1,00,000 for "constructing a brick mattress at Serajgunge for the protection of the town of Serajgunge," Rs. 4500 for "Interest on other obligations", Rs. 57,000 as non-recurring grants for the Calcutta University, Rs. 2524 for Agriculture, Rs. 20,000 as a contribution towards the expenses of the Imperial Library, Calcutta and Rs. 2,43,000 for payment of loans to cultivators.

6th. FEBRUARY:—The Council had a brief sitting in the afternoon lasting about three-quarters of an hour. The Raja of Nashipur, ex-Minister, and other Liberals occupied the Opposition benches. Kumar Shib Shekharswar Roy, Minister for Local Self-Government, took up most of the time of the House as he was responsible for introducing three official bills.

## LORD INCHEAPE ON BRIBERY IN INDIA

During question time, the Home Member, the Hon'ble Mr. A. N. Moberly, stated that the Government were not aware of the remark said to have been made by Lord Incheape that "in India and certain other countries, bribery was so deep-rooted and so common that familiarity tempted some to condone its depravity" and that the Government had not considered the desirability of forming an enquiry committee for the purpose.

## INCIDENCE OF MALARIA

The Minister for Local Self-Government said that the average death rate due to malaria in Bengal during the last five years showed a decrease. The Rockefeller Institute in Calcutta meant to combat the disease was not yet in existence.

## OFFICIAL LEGISLATIVE MEASURES

Answering another question, the Minister admitted that the Bengal Local Self-Government Act of 1885 needed amendment. As to the time when he might be able to introduce a Bill for the purpose, he replied (amidst laughter) that it depended on the members themselves. If the Minister was allowed to remain in office for some time they would have the bill.

## FOOD ADULTERATION BILL

The Bill to amend the Bengal Food Adulteration Act so as to bring condensed, sterilised and desiccated milk within the purview of the law and to forbid the sale or exposure for sale, of such milk, was referred to a select committee. The Bill also proposed to make punishable the sale of sweetmeats or other articles containing such adulterated ingredients.

## BENGAL TENANCY BILL

The Revenue Member, the Hon'ble Sir P. C. Mitter introduced a Bill to amend the Bengal Tenancy Act, which was also referred to a select committee. The Bill sought to provide an indemnity clause protecting the Government and their officers against claims by persons in respect of landlords' transfer fees.

Mr. Hoseini Routh, the Mehtar member was present in the House sitting behind Nawab Musharuff Hussain, ex-Minister.

## CALCUTTA MUNICIPAL BILL

**7th. FEBRUARY:**—The proceedings of the Council were lively to-day, and marked the first defeat of the Government in the session over the motion of a non-official member to refer his Bill to a select committee. This was a Bill to amend the Calcutta Municipal Act of 1923 with a view to separating Cossipore, Chitpore and Garden Reach from the Calcutta Corporation.

These suburban areas contain the residence of many influential people of Calcutta and at the last named place, the docks are located.

The Minister for Local Self-Government, while expressing sympathy with the inhabitants of these areas, opposed the reference to a select committee, but promised to appoint an expert committee, by the end of March, so as to enable him to introduce an official bill in the autumn session.

The European members opposed the motion, on the ground that the principles underlying the Bill were retrograde.

In spite of Government and European opposition, the motion for reference was carried by 54 votes against 40, by the combined strength of the Liberals and Mahomedans.

Mr. Hosseini Routh, the member from Midnapore, was the first non-official to walk into the "Ayes" lobby to vote against the Government. The result was received with cheers by a large number of people who were waiting outside asking members to vote for separation.

Mr. J. N. Basu, Liberal leader, was sworn in to-day and occupied the seat formerly occupied by Mr. J. M. Sen Gupta, amidst applause. Mr. J. L. Bannerjee and three other Congressmen also attended and participated in the debate.

## REMOVAL OF SEX BAR

**11th. FEBRUARY:**—Free voting was allowed to the official members on the resolution of Mr. P. N. Guha in the Council to-day urging the removal of sex disqualification for election to the local legislature.

The Home Member, the Hon'ble Mr. A. N. Moberly, while holding that women should have a voice in the affairs of State, thought personally that, under the existing condition of the franchise in the province, the motion was premature. Most of the non-official Europeans and Hindus, as also Mr. Hosseini Routh, supported the resolution, which however, was lost by 34 votes against 28.

Mahomedans and Government members generally voted against Mr. Guha's motion, as also did Mr. B. C. Chatterjee, leader of the Hindu Mahasabha group, who was sworn in to-day.

## TENANCY QUESTION

Mr. Jitendralal Banerjee's motion recommending the abolition of the right of pre-emption granted to the immediate landlord in the last Tenancy Act and reduction of the landlord's transfer fee, was defeated by 50 votes against 29, though Mahomedans supported the motion. Mr. Banerjee gave notice of a motion to move the adjournment of the House to discuss the communal disturbances at Dacca, but as he did not rise after interpellations for the leave of the House, the motion was not considered, and the Council adjourned until February 20th.

## Budget for 1930-31

**20th. FEBRUARY:**—In a dull House to-day, the Finance Member, the Hon'ble Mr. A. Marr, presented the Budget of the Bengal Government for 1930-31.

Receipts from revenue are placed at Rs. 11,04,54,000 against an expenditure of Rs. 11,76,54,000. A capital expenditure of Rs. 84,03,000 is proposed against receipts on the capital account of Rs. 76,76,000. The net result is that the closing balance is expected to be reduced by 79½ lakhs to Rs. 1,17,00,000. The continuing revenue deficit is the most important aspect of the whole budget. The revised receipts and expenditure on the revenue account this year practically balance each other. This, however, is due to a windfall of 53 lakhs and next year's revenue is expected to be nearly 43 lakhs less than this year's revised figure. The year begins with an opening balance of Rs. 2,23,09,000, and is expected to end with a balance of Rs. 1,96,22,000.

In the loans portion of the Budget, the main feature to be noticed is that the Government are borrowing Rs. 50 lakhs from the Government of India for the Council Chamber, and the Bally Bridge roadways, both of which are expected to be

completed next year, as well as the construction of the Damodar Canal. The central administration Budget is about 5½ lakhs more than the revised estimate of this year, as it includes provision for three Ministers for a whole year, and it makes allowance for some expansion in the work of the land-lord's fee transmission and in local fund audit.

Police charges are estimated to be about 5 lakhs above this year's revised estimate. The increase is under the District Executive Force and is mainly the natural effect of better recruitment following on the better terms granted last year to subordinate ranks. The expenditure on education on the transferred side has been steadily increasing. From Rs. 97,94,000 in 1923-24, it has risen to Rs. 130,56,000 as estimated this year, and next year's estimate is over 4 lakhs higher.

One of the most important measures promoted by the Government in recent years is the establishment of a Public Health Organisation in rural areas through the medium of district boards who receive grants for the purpose.

In the course of his speech, Mr. Marr observed that, in the conditions which had prevailed in the last few years, and in view of the uncertainty of the future, the Government's policy had been to maintain as sound a financial position as possible, and not to reduce the balance too much or too rapidly. As the situation was still uncertain, they must continue the policy of caution. He said: "When introducing the Budget last year, I referred to the visit of the Statutory commission, and to the strong case that Bengal had put up for a revision of the financial settlement. We are now patiently and anxiously awaiting the Commission's report, which is expected in the near future, and we confidently hope that the recommendations in that report will be in the direction of giving financial relief to Bengal."

#### TEENANCY BILL PASSED

The Bengal Tenancy Amending Bill sponsored by Sir Provash Mitter, Revenue Member, was passed.

#### DISCUSSION ON THE BUDGET

**27th. FEBRUARY:**—Initiating the budget discussion in the Council, to-day Mr. J. N. Gupta, I.C.S. (retired) in his maiden speech, urged the formation of a mixed committee to represent Bengal's case to the proper authorities for the revision of the Meston award. Mr. J. Campbell Forrester acknowledged that a start had been made by the Government to solve the beggar problem. Mr. Hasan Ali referred to the increased police expenditure by five lakhs, while no funds were available to remove the sufferings of villagers. The Council adjourned for want of a quorum.

Next day, the **28th. February**, Kumar Shib Sekhaheswar Roy, Minister for Local Self-government, repudiating the suggestion of one of the members that the Ministers were of no use in the Government of Bengal said:—"The people of Bengal have no right even to dream of Independence or Dominion Status or to ask for further reforms if they cannot send 100 such members to the Council from which only three might be chosen to sit in the Government and hold their own against the best intellects on the reserve side."

In the course of the debate that followed, Mr. B. C. Chatterjee said that the time had come when the Government should raise a loan of five crores, as hinted by the late C. R. Das, for the transferred departments.

Mr. F. V. Rushforth suggested the raising of some form of loan for the economic reconstruction of Bengal.

The Finance Member congratulated Mr. Chatterjee and assured him that on his side of the House they would give their serious consideration to any scheme for the amelioration of their difficulties. The Council then adjourned until March 17.

#### VOTING ON BUDGET GRANTS

**17th. MARCH:**—After a recess of a fortnight the council reassembled on this day to vote on Budget grants. After minor abortive attempts for reductions were made the Council voted the entire demand of the Hon. Sir P. C. Mitter for grant of Rs. 48,22,000 for expenditure under the head 'Land Revenue'.

In moving that the demand of Rs. 1,54,000 under the head "5 A—Road Cess, Valuation and Revaluation Establishment" be reduced by Re. 1, Raja Bhupendra Narayan Sinha Bahadur of Nashipur said:—

The object of my resolution is to draw the attention of the Hon'ble Member with regard to the arbitrary way in which the Road and Public Work Cesses have been calculated by the Revaluation Officers. This fact had already been brought before

this House last year by Babu Jogendra Nath Maitra and the assurance being given by the Hon'ble member he did not press his motion but on the contrary withdrew it. I regret to say that no practical step has been taken in spite of the assurance of the Hon'ble Member of the Revenue Department and in spite of the fact that a year has passed since then, the calculation of the Cess has been carried out on the same arbitrary way as had been done before. No improvement has been noticed in the method adopted by the Revaluation officers.

#### DEMAND UNDER EXCISE

Making a demand for Rs. 22,17,000 for Excise the Hon. Kumar Shibsekharsawar Roy explained the present excise policy of the government which was the eradication of drug habit evil from Bengal. Every endeavour was being made to reduce consumption of drugs and minimise temptation of drug-taking. The League of Nations was gradually introducing world-wide restrictions to free the world from drug menace and Bengal would not lag behind in this world-wide campaign.

#### TOTAL PROHIBITION

*18th MARCH*.—Proceedings of the Council assumed a livelier turn to-day when an attempt was made by a token cut, under the head 'Excise' asking government to declare total prohibition as their immediate goal, to be given practical effect to in course of ten years.

Moving the cut of Rs. 100, Mr. S. M. Bose said that they wanted total prohibition to be adopted not as a dim and distant goal but as their immediate objective. The scriptures of the Hindus and the Moslems all enjoined it and their manners were based upon it.

The motion of Mr. Bose was rejected by 53 to 33 votes. In this voting the Hindu Maha Sabha group led by Mr. B. C. Chatterji did not participate as also some thirteen members.

The motion of Maulvi Shamsuddin Ahmed to refuse the demand under excise of Rs. 22,17,000 by Rs. 22, 16,999 was also lost by 25 to 63 votes. The House by 53 votes to 43 similarly defeated the cut of Maulvi Tamizuddin Ahmed for a reduction of the demand by Rs. 1,000. This related to a discussion on the excise policy of the government.

After two divisions in which the government scored, the entire demand under excise was granted.

The House also granted the demand of the Finance Member for a sum of Rs. 7,73,000 under the head 'Stamps'. The Council then adjourned.

#### CHANGE OF MINISTRY

*19th. MARCH*.—By a token cut of Rs. 5 Mr. Abdul Karim raised a discussion on the Ministry in the Council to-day. He made it clear that his object was not to criticise its personnel, but to draw the Governor's attention to the fact that the circumstances had changed since the selection of the present Ministers. The duchy had failed in the past because of the wrong selection of men. The principle which should weigh with His Excellency was to appoint such men as Ministers as had made their mark in the public life and had a majority of the elected members behind them. If that were done, stability would be ensured.

In reply to a question the President said that the mover had explained that this was not to be taken as a vote of censure, but he thought it depended very much upon the thickness of skin of the Ministers.

The leaders of the People's and Praja parties associated themselves with the observations of the mover, but the latter suggested that the number of Ministers should be increased and their salaries reduced. For the smooth working of reforms, his party considered that the proportion of Hindu and Muslim Ministers should be equal.

On behalf of the Hindu Nationalist party, it was suggested that the number of Mahomedan Ministers should be curtailed and that the future Ministers of Bengal should regard this high office as a place of honour and not a source of profit.

At the suggestion of Mr. J. L. Bannerjee, the Chief Secretary undertook to convey the sense of the House to His Excellency and requested the mover to withdraw the motion, which he did with the leave of the House.

#### CUT UNDER IRRIGATION DEMAND

The Government suffered the first defeat of the session in connection with the budget grants when a nonofficial motion for a reduction of the demand for Rs.

13,87,000 under 'irrigation' by Rs. 1,000 was carried. The mover drew attention to the failure of the department to tackle the problems of dead and dying rivers in Bengal as well as the water hyacinth pest.

The hon. Sir Abdul Kerim Ghuznavi, member in charge, while admitting that the province had one of the finest waterways in the world, regretted that owing to the department being understaffed, they found it impossible to attend to the multifarious problems facing the department. An expert committee had been appointed to enquire not only into the waterways but also to advise on the irrigation policy of the Government. The report of the committee would be shortly published.

#### POLITICAL PRISONERS

**21st. MARCH** :—Before the commencement of the proceedings of the Council, this afternoon, the President read a message from the Governor saying that owing to his having received a communication from the Government of India, directly bearing upon the statement he had to make to the Council and which involved his waiting for a further communication from the Government of India, it would not be possible for His Excellency to keep the engagement to address the Council to-day. If, as he hoped, the communication referred to arrived during the afternoon, His Excellency would address the Council at 10-30 tomorrow morning. The President fixed that hour tomorrow for His Excellency to address the Council.

The policy followed by the Bengal Government in launching prosecutions for political offences was outlined by the Home Member, the hon. Mr. A. N. Moberly in connection with the motion of Mr. A. K. Fazlul Haq, ex-Minister, who by a cut of Rs. 1 drew the attention of the House to the popular discontent at the Government policy in instituting prosecutions for even trivial political offences. He remarked that a large amount was spent as fees to counsel which might have been profitably utilised.

The Home Member assured the House that the Government took action after a good deal of care and discrimination. The special tribunal case at Alipore, for instance, was perhaps the most important political case that had come before the court for several years. It was not the Government's desire to strike terror; but what they desired was that law should be observed and law prohibited people from bringing the Government into hatred or contempt. The Government were bound to protest if they were attacked in the way which said to all intents and purposes that they must be ended by a revolution.

The cut was carried amidst non-official applause by 59 votes against 35.

#### PROSECUTIONS FOR SEDITION

By a cut of Rs. 2,15,000 under 'Administration of Justice', Mr. S. M. Bose raised a constitutional issue and asked the Government not to prosecute people for sedition but to meet their aspirations.

The Home Member replied that the matter ultimately rested with His Majesty's Government and referred to the 1917 Declaration, the Simon Commission and the last Viceroyal announcement. He hoped that they would be accepted in the spirit in which they had been made. The Government would have no occasion to prosecute a seditionist in future but if speeches were made and articles published, the object of which, immediate or ultimate, or the result of which, was to overthrow the Government as at present constituted, by revolution, the Government would have to take such action as to maintain the position until in the fulness of time the form of government would be changed.

The motion was withdrawn.

#### JAIL ADMINISTRATION CRITICISED

'Budgetting in anticipation of civil disobedience' was the argument put forward by Mr. Majid Baksh, moving a reduction of Rs. 5,000 in the demand under 'Jails'.

Mr P. C. Mitter, Member in charge, pointed out that the Government could not totally ignore the prospect of more prisoners coming into Jails.

The cut was refused by 43 votes to 10 votes.

Replying to Mr. Wordsworth, who proposed a token cut, the Home Member said that financial difficulties stood in the way of bringing into operation the clauses of the Bengal Children Act.

The motion was withdrawn and the House adjourned.

**24th. MARCH** :—In the Council to-day the token cut of Mr. Jalaluddin

Hashemy (Swarajist) to criticise the Jail administration in Bengal was carried. The mover characterised the administration as "vicious, barbarous and cruel" and observed that the jail system in the provinces was responsible for the manufacture of criminals.

The Hon. Sir P. C. Mitter, member-in-charge, replying, referred to the recent revision of jail rules by the Government of India and emphasised that there would be no racial discrimination in the future. He added that whatever discrimination would be made would be based on the standard necessary for the maintenance of the health of the prisoners.

#### POLICE FORCE IN BENGAL

A spirited defence of the police force in Bengal and Calcutta was made by the Home Member in connection with two cuts for reduction of demands under Calcutta Police and Presidency Police both of which were lost. The Home Member said: "I am not saying that the Calcutta police are perfect as they ought to be, but all the same they are a force which Calcutta has reason to be proud of and they are steadily improving. I may tell the House that there is no police force in the world which contains braver and more loyal officers and men than the Bengal police."

27th MARCH:—In the Council to-day the demand under Police was granted without a cut. Replying to a token motion, the Home Member said that the Police welcomed the co-operation of the public. They asked for nothing more than that they should be accepted by the public as their friends and that the public should be their friends. But so long as they were treated with suspicion and as pariahs, he did not think that happy consummation would come about.

Speaking in reply to another cut motion, which was ultimately withdrawn, the Home Member assured the House that the Government were fully alive to the necessity of keeping the Police service pure and of ensuring, as far as possible, that their relations with the public were courteous and cordial. He could only hope that the public would treat them in a like manner.

#### The Bengal Criminal Law Amendment Act

Addressing the Council in the afternoon, His Excellency Sir Stanley Jackson said that the government would immediately place before the House a Bill for the repeal of those sections of the Bengal Criminal Law Amendment Act of 1925 which provided for detention without trial and he had allotted April 1st as the day on which the discussion of this Bill would be taken up. The Act was due to expire on April 23rd this year. His Excellency added that these powers were framed to deal with revolutionary organisations which had for their object violence and assassination. The revolutionary movement which set these aims before itself was still in active operation in Bengal, though its more serious manifestations in the shape of definite outrages had not recently been prominent. But, for the last three years it had been possible to keep the situation under control without fresh recourse to them. The Government of Bengal had been in communication with the Government of India on this matter and His Excellency was authorised to state that the Governor-General-in-Council and His Majesty's Government, if they were satisfied of the existence of such emergency, would be prepared to approve of the necessary steps for securing these powers to the Local Government again. His Excellency, however, commended to the House the retention for a further period of five years of the special procedure for trial of offences by Commissioners appointed under this Act and he looked with some confidence to the Council to support him in this matter. He felt satisfied that the retention of these sections was not only necessary, but should be some guarantee against fresh recourse to provisions which it was now proposed to repeal and the disappearance of which from the Statute Book could not but be a source of satisfaction. He added that this form of procedure had in every case been applied with scrupulous discrimination, solely to that trial of persons for specific acts of a terrorist nature. The provisions which it was proposed to continue would, His Excellency assured the House, be applied in a like manner in future.

His Excellency referred to the debate which took place last Thursday when the demand for ministers' salaries was before the House and said that he welcomed what he believed to be the desire of the Council to work the Constitution in a constructive spirit. He assured the members that the views expressed were having his closest attention and would receive full consideration. "I may be permitted to add"

said His Excellency, "that I shall spare no effort to examine the situation in the light not only of my responsibilities but also of my obligations and to reach a solution which will be in the best interests of the province."

#### GOVERNMENT CENSURED FOR STUDENTS' STRIKE

**26th. MARCH:**—In the Council to-day the motion of Sir Nilratan Sircar for a token cut in the demand for the grant under Education to discuss the relations between teachers and the taught as evident from the recent students' strikes was lost by a majority of three votes. Sir Nilratan Sircar pointed out the number of strikes in Government colleges during the last two years and asked for a proper remedy, so that education in the province could progress unhampered.

Sir Jadunath Sircar, the former Vice-Chancellor, asserted that the last strike in the Presidency College was fostered by outsiders remaining in the background. Swaraj would not be achieved by turning students into unfit instruments for the service of the motherland.

"The policy of the Government towards higher education generally and the tactlessness and unsympathetic attitude of Mr. Stapleton, D. P. L., resulting in the recent strike in the Presidency, Krishnagar and Bethune colleges" were severely criticised by Mr. Syamaprasad Mukherjee, representative of the Calcutta University.

Mr. Wordsworth, ex-principal, Presidency College, joining in the criticism, blamed the unnecessary interference.

#### CUT IN MEDICAL GRANT

Moving the demand for Rs. 48,59,000 for the Medical Department the Minister-in-charge, Kumar Shib Sekhreshwar Roy said that it pained him most to observe that the British Medical Council should have thought it fit to refuse recognition to their graduates. The Ministry in the Medical and Public Health Department could not accept it as the final verdict and he assured the House that this Ministry would do all that lay in its power to have the decision rescinded.

Discussion was proceeding when the Council adjourned.

**27th. MARCH:**—The Minister in charge of the Medical and Public Health Department (the Hon. Kumar Shib Sekhreshwar Roy) sustained a defeat to-day when by 48 votes to 43 the Council carried a rupee cut under the Medical demand.

Supporting the motion, Sir Nilratan Sircar urged that the distinction between the I. M. S. and the Provincial service men should be done away with as has been done in the other provinces. The Minister in reply pointed out that, in the present state of medical efficiency and attainments of independent medical practitioners in Calcutta, he was constrained to say that it was not possible to fill up most of the posts in the Medical College which required a high standard of efficiency and training by direct recruitment.

#### GOVT'S AGRICULTURAL POLICY CRITICISED.

The Council next rejected Khan Bahadur Azizul Huq's motion for a cut of Rs. 1000 under Agriculture by 45 votes to 41 amidst Ministerial cheers.

By this motion the Government was criticised for failing to tackle the problems of Agricultural and rural welfare.

Mr. W. L. Travers, Leader of the European group, remarked that a sum of Rs. 25½ lakhs was totally and miserably inadequate for the progress of Agriculture.

The Minister in charge (the Hon. Khan Bahadur K. G. M. Faruqui) said that the policy of the department was to set up a higher standard of agricultural products and production, to devise and enforce better methods of farming and ultimately to raise the social, moral and civic life of the people.

#### THE PRIMARY EDUCATION BILL.

**31st. MARCH:**—After a full dress debate lasting for two hours the Council by 51 to 48 votes gave permission to the Education Minister (the Hon'ble Khwaja Nazimuddin) to withdraw the Bengal Rural Primary Education Bill of 1929 as reported by the Select Committee. There was a determined opposition by a section of the House to refuse leave to withdraw the Bill and before the Minister had opportunity to reply to the debate the closure motion was moved to cut short the discussion. The House, however, by 53 to 46 votes, defeated the motion. The reason for withdrawing the Bill was that it had been so modified by the Select Committee that it would only result in waste of public money and chaos. The Minister promised to publish a new Bill in the Gazette within a fortnight and the



scheme proposed therein, if allowed to work unhampered, would make primary education, so far as boys were concerned, free and compulsory in Bengal within seven years.

### The Bengal Criminal Law Amend. Bill Passed

**1st. APRIL :—**In an hour's sitting, the Council passed the Bengal Criminal Law Amendment Bill empowering the Government to constitute special tribunals to deal with terrorist organisations. The Act will be in force for a period of five years.

Opposition to the Bill was led from the first stage when the Home Member, the Hon'ble A. N. Moberley asked the leave of the House to introduce it to amend the Act of 1925. Leave was given by 66 to 41 votes and following the announcement of the result of the division, 34 members of different political parties led by Messrs. J. L. Banerjee, B. C. Chatterjee J. N. Basu, Liberal leader and A. K. Fazlul Huq, ex-Minister, walked out in protest. The Home Member explained that the Bill was not aimed at ordinary law-abiding people or criminals but at secret terrorist conspiracy which was still alive. He repudiated the suggestion that the present legislation was aimed at civil disobedience which was an open movement and added that the Government had no objection whatever to any open movement. They no more required special measures in 1930 than they did in 1921-22 when the movement was very much more serious than it was now. After the passage of the Bill, the Council was prorogued.

### Autumn Session—11th to 26th August 1930

The Bengal Legislative Council commenced its autumn session at Calcutta on the 11th. AUGUST 1930 the President, the Hon'ble Raja Sir Monmathanath Ray Chowdhury presiding. Two former members belonging to the Congress Party were present in the distinguished visitors' gallery.

An adjournment motion moved by the member from Mymensing to discuss the situation in Kishoreganj where ten members of the family of Krishna Chandra Roy of Jagalia had been killed by Mahomedans was lost for want of support from the requisite number of 30 members.

### FORCIBLE DISPERSAL OF ASSEMBLIES

Replying to a question, the Home Member, Mr. W. D. R. Prentice, said that the Government approved of the use of canes or lathis to disperse unlawful assemblies which having been commanded to disperse failed to do so and could not be dispersed by other means.

In reply to another question, the Home Member stated that the use of physical force against women was avoided save as a last resort and orders to this effect had been issued.

### ALLEGED ASSAULT ON CONGRESSMEN

Asked why no public enquiry had been made into the allegations of assault upon Mr. J. M. Sen Gupta, Mr. Subash Chandra Bose and other political prisoners in the Alipore Central Jail, the Member in Charge, Sir P. C. Mitter, said that from the reports at their disposal the Government were satisfied that the incidents were brought about by the deliberate attempts to break jail discipline and by the refusal on the part of some of the prisoners to carry out the orders which the jail authorities were entitled to pass. The Government were further satisfied that the force used was justified and that the allegation as to its severity was grossly exaggerated. The Government therefore after careful consideration decided against the holding of an enquiry. Sir Provash added that according to Mr. Subash Chandra Bose's own admission he was guilty of a breach of the jail discipline and the force used on him was not excessive.

Asked whether it was not his duty to visit the jail to allay public feeling, the Hon'ble Member replied in the negative and said that the Government were satisfied with the information at their disposal that it was not their duty to allay that section of the public which would believe in anything and everything.

## GRANT FOR JAILS

After a heated debate the Council sanctioned the demand of Sir Provash Chandra Mitter, Member-in-Charge of Jails, for Rs. 10,43,500 to meet essential items of expenditure during the current financial year.

A token cut moved by Mr. Syamaprasad Mookherji to raise a discussion on jail administration during the last four months was lost by 75 to 25 votes.

Replying to the condemnation by non-official members belonging to the Hindu group on the assaults on political under-trial prisoners in the Calcutta jails, Sir Provash pointed out the difficult task of administering 15,000 prisoners in Bengal alone, and added that specific cases brought to the notice of the Government showed that the trouble was started by those who were anxious to break jail discipline.

## APPOINTMENT OF PRESS OFFICER

On the motion of the Home Member the House by a majority sanctioned Rs. 23,200 in connection with the appointment of a Press Officer in Bengal, the Government emphasising that it had met a real want both on the part of the Government and the press. The Home Member said that since the appointment of the officer there had been stoppage of one paper only and the smallness in the number was due to the existence of the press officer.

## GRANT OF BENGAL POLICE

*12th. AUGUST* :—After about 4 hours' debate to-day the Council by a majority of two votes defeated the token cut of Mr. Syamaprasad Mookherji censuring the conduct of the Police and excesses committed by them in dealing with the civil disobedience movement and their apathy in coping with riots in Dacca and Kishoregunj. Mahomedans led by Mr. A. K. Fazlul Huq, ex-Minister, supported the motion.

The demand made by the Home Member, Mr. W. D. R. Prentice for the grant of Rs. 8,78,000 under the head Police for the current year "to meet the anticipated extra expenditure in connection with the civil disobedience and similar other movements" was sanctioned without a division.

In moving the demand, the Home Member narrated the events at Chittagong, which, he said, had proved beyond doubt the existence of a revolutionary body which was prepared to adopt any means to effect its purpose and the issue of the Ordinance by H. E. the Viceroy meant that the Police service should be brought to its full strength to deal with this kind of crime. He added that there had been instances, perhaps, in which there would be difference of opinion as to the amount of force used, but taking the situation as a whole he did not think there could be any question that the loyalty and discipline of the Police, from the top to the bottom, has been magnificent and that the people of Bengal were under deep debt of gratitude to the members of this much-maligned force.

In moving the token cut Mr. Mookherji narrated the police excesses in Calcutta, Jessore, Khulna and other places in connection with the Civil Disobedience movement and said that it seemed to him that the British Raj had ceased to exist and "we have Goonda Raja instead."

Mr. W. L. Travers, leader of the European Group, supported the grant.

Mr. W. S. Hopkyns, Chief Secretary, characterised the Kishoregunj riots as partly economic and added that the view of the District Magistrate of Mymensingh to go for ringleaders leaving the rest to cultivate their lands was eminently sound and sober. The outbreak was dealt with quickly by the authorities concerned and if wholesale arrests were effected, the entire Moslem tenantry would have left the locality and ultimately there would have been scarcity and famine.

Replying to the debate, the Home Member denied the allegations against the Police inasmuch as no case had been brought to the notice of the Government.

## Bengal Rural Primary Education Bill

## MINISTER'S RESIGNATION

*13th. AUGUST* :—The Hon'ble Kumar Shib Shekhareswar Ray, Minister for Local Self-Government, Bengal resigned on this day due to difference of opinion with the Education Minister, the Hon'ble Khwaja Nazimuddin in connection with the

procedure to be followed regarding the consideration of the Bengal Rural Primary Education Bill. The Kumar Sahib thought that the Bill was sought to be passed on communal lines with the help of the Moslems, official and European members in the teeth of opposition from the Hindu councillors.

While the Education Minister thought that the Bill should be taken up for consideration immediately after its introduction and discussed clause by clause till its final passage by the Council, the Minister for Local Self-Government was of the opinion that a Bill of such a magnitude, involving taxation of a crore of rupees, should first be referred to the Select Committee to discuss the controversial points. He was assured of the support of 50 elected Hindu members in the step he had taken in this view. The Kumar Sahib, in his letter to the Governor resigning his Ministership, wrote :—

"When I accepted office and agreed to share joint responsibility with two Mahomedan colleagues, I did so in the expectation that they would do nothing to embarrass my position as their only Hindu colleague in the Ministry. Circumstances since have developed which make me feel that I was being denied the confidence which I expected. They refused to appreciate my difficulty brought about by the policy adopted by them and in pursuance of which they are even prepared to ignore the existence of the entire body of Hindu members of the Council and run the administration on communal lines and rush a Government measure in the Transferred Department, involving taxation to the extent of rupees one crore annually, in the teeth of the opposition of the entire body of Hindu members with the help of Moslem and European official and non-official members'.

The resignation of Kumar Shib Sekhahareswar Ray was accepted by H. E. the Governor. The Kumar Sahib was warmly applauded as he took his seat amongst the elected members of the House.

#### EDUCATION MINISTER'S DEFENCE OF MEASURE.

Introducing the Bengal (Rural) Primary Education Bill, the Education Minister Hon. Khwaja Nazimuddin said that its main object was to provide for compulsory attendance at schools, to raise the funds necessary for the gradual establishment of universal primary education and to provide authority for each district to control primary education. With this end in view, the Bill proposed to levy a primary education cess which was estimated to yield about one crore of rupees per annum, the whole of which would be earmarked for primary education. The Bill proposed a cess of five pice in the rupee, of which the cultivator would pay 3½ pice and the landlord 1½. The Minister claimed that his Bill had the support of the press and the public generally. In view of the great demand for primary education from the masses, he thought that the Bill should not be referred to a Select Committee which meant its shelving. If they wanted responsible Government, they must impart primary education to the masses, so that when responsible Government was introduced, people might be able to exercise their franchise intelligibly. "If you fail to get this Bill passed" concluded the Minister "in this Council, it will mean that the demand for primary education for the last 20 years was a cheap agitation, and not the real demand of the people."

The debate then proceeded on the motion of Mr. Sarat Kumar Roy to refer the Bill to a Select Committee.

Mr. A. K. Fazlul Haq, ex-Minister, said that in view of the mandate of his party to support the Education Minister, he had obtained permission to reserve his own vote, and although he was opposed to the Bill he had to surrender his conscience which was now-a-days a marketable commodity. Mr. W. L. Travers opposed the idea of reference of the Bill to the Select Committee.

**14th. AUGUST:**—Fifty elected Hindu members, including Kumar Shib Sekhahareswar Ray, who resigned yesterday, walked out of the Council to-day immediately following the reply of the Education Minister, the Hon'ble Khwaja Nazimuddin, to the debate on the motion of Mr. Sarat Kumar Roy to refer the Bengal (Rural) Primary Education Bill to a Select Committee. Hon. Khwaja Nazimuddin opposed the reference and said that it was the considered opinion of the Government that they were not prepared to accept any amendment to the principle enunciated in the Bill.

*Kumar Shib Sekhahareswar Ray*, rising to make a final appeal to the Education Minister, as an ordinary member, said that the primary education was the crying need of the times and it was clear that a Bill taxing those likely to be benefitted was bound to be supported by the Government and fair-minded Europeans in this

country and despite the heavy tax by the Moslems who were educationally backward. He referred to the oppositionists who concentrated on the provisions dealing with taxation. There were others who demanded that the under-lying principles of the Bill should be broadbased on a democratic and national foundation. The majority of these groups came from the Hindus. Therefore, a Bill imposing heavy financial burden on the landholders and providing for a rigid official control was bound to meet with strong opposition from the Hindus as a community. It required tact and statesmanship of the highest order to pilot the Bill in a manner which may cause the least resentment to all concerned. He hoped the Government and the members would be of immense help to bring about a compromise which at least would be not unfair to the majority. 'Being new to the field of politics and statesmanship, as the Education Minister is, he perhaps was easily tempted to the easier course and from the beginning I felt that the procedure to rally the moslems which the Minister adopted to secure the passage of the Bill was liable to be interpreted as being tinged with a communal colour. This is what actually came to pass. I feel there is still time to conciliate the Hindu feeling by taking them into confidence and referring the Bill to a select committee consisting of a fair number of Hindus, Mahomedans, Europeans and Government members.'

*The Education Minister* delivering a fighting speech in defence said that the Bill when enacted would benefit not only the Moslem tenants but the Hindu zamindars and the middle class people generally. The Minister repudiated the suggestion that a communal issue was involved. 'There is a strong group of influential members in the House opposed to the Bill who challenged me, threatened me and even made tempting offers guaranteeing the Ministry from all attacks. That group has made a systematic attempt to checkmate me and stop the passing of the Bill. When everything failed they raised the only possible issue, namely, communal. Reference to a committee, the Minister added, meant shelving the Bill.'

*Mr. J. N. Basu*, Liberal Leader, made a statement on behalf of his Hindu colleagues, and said that, having regard to the decision of the Education Minister, they felt that they could not usefully contribute to the debate and therefore proposed to retire in a body during its discussion.

#### PRESIDENT'S APPEAL FOR COMPROMISE

The President, the Hon'ble Raja Sir Manmatha Nath Ray Chowdhury adjourned the House till the next day with a view to paving the way for a compromise as suggested by certain prominent members including Kumar Shib Shekharewar himself, adding that if those who had walked out did not fall into a line with the majority or if no compromise was effected, the Chair would see that the work of the majority might no longer be hampered. The announcement was received with cheers by the retiring members who included Mr. P. N. Guba (nominated). Only three elected Hindu members did not take part in the demonstration.

#### NON-OFFICIAL BILLS

*15th. AUGUST*.—The Council met in the afternoon in a calm atmosphere to discuss non-official business, the Education Bill being postponed till the 21st. The Hindu members who walked out of the house yesterday attended and participated in the day's proceedings.

The interest, however, centred in the lobbies where discussions proceeded among groups of members to find out a solution of the situation arising out of the resignation of the Hindu Minister and the subsequent walk-out of the Hindu members in connexion with the Primary Education Bill. While the feeling between the two communities was still high, there was a considerable feeling among a section of the house that some way should be found out of the impasse. It was arranged that eight members from the Hindu party headed by Mr. J. N. Basu will meet the Education Minister to discuss the matter. It was ascertained that the Hindus would be agreeable to a compromise only if the provisions for taxation and constitution of the board for controlling primary education, as now embodied in the Bill, were modified. This meeting however subsequently broke down.

Of the four non-official Bills three related to the amendment of the Calcutta Municipal Act of 1923. The most important of them was one of Mr. Abdul Kasem who wanted that the right conferred on Mussalmans for sending representatives to the Corporation through a separate electorate should be continued and not disturbed. The Act now provided that at the end of nine years the Mussalmans will send their representatives to the Corporation through the general electorate.

On the opposition of Mr. J. N. Basu, the house refused leave to Mr. Kasem to introduce his Bill.

#### THE SIMON COMMISSION RESOLUTION

*18th. AUGUST:*—The Council adopted to-day a resolution of Mr. J. N. Gupta, retired Bengal civilian, recommending 'that the proper authorities be informed that in the opinion of this House the recommendations of the Simon Commission fall far short of the demand of statesmanship to help India to attain complete political self-determination within a reasonable period of time and will have to be largely modified before they can be expected to satisfy the legitimate Indian aspirations.'

During the debate, Mr. A. Marr, leader of the House, made it clear that Government members would neither participate in the discussion nor vote on it. He would, however, communicate the decision of the House to the Government of India.

While the Hindus and Mahomedans were united in condemning the recommendations as disappointing and retrograde, divergent opinion was expressed as to whether in the future constitution separate electorates should be introduced for the Mahomedan community.

Initiating the discussion, Mr. J. N. Gupta characterised the report as a constitutional monstrosity and said that the attempt of the Commission to envisage a system of constitutional evolution for India on the basis of disunion and diversion betrayed a want of appreciation of many of the subtle ways in which the system of separate electorates corrupted public life and turned democracy into a farce and raised into political leadership a bitter type of self-seeking fanatics, while leaving no group of impartial electors to be wooed and courted by a candidate.

The resolution was carried, the non-official Britishers opposing.

#### IMMEDIATE DOMINION STATUS

*19th. AUGUST:*—The immediate grant of Dominion Status with transitional safeguards was demanded by a dozen elected Hindu members of the Council to-day in the course of the discussion on the resolution of Mr. S. M. Bose recommending to the Bengal Government to communicate to the Government of India that, in the opinion of the House, the Round Table Conference, including Bengal representatives elected by the Council, should be held on the basis of the immediate establishment of full Dominion Status for India with responsible Government in the provinces as well as the Central Government and placing India on the same status as the self-governing dominions of the British Commonwealth.

Of the three Mahomedan members participating in the debate, one a Khilafatist, supported the resolution. Government members and Europeans did not take part in the debate which was adjourned till the next day. One member suggested a Round Table Conference between the Hindus and Moslems to make up their minds before they sailed for the London Conference.

*20th. AUGUST:*—After five hours' debate, the Council by 41 votes to 35, defeated Mr. S. M. Bose's resolution. The announcement of the result was greeted with cries of cheers by non-official Europeans and counter-cries of "shame" by Hindu members. The oppositionists included the majority of the Mussalmans, the non-official Europeans and the Government members. Six Moslems refrained from voting. Three Moslems joined the Hindu supporters.

The Council, however, accepted Rai Bahadur Kamini Kumar Das's resolution recommending to the Bengal Government to communicate to His Majesty's Government through the Government of India that, in the opinion of the Council, full responsible Government in the provinces as well as the Central Government, with proper safeguards for Moslem and all minority interests, should be established without delay so that India might be placed on the same status as the Self-governing Dominions of the British Commonwealth.

Division was not pressed as the Praja Party, the largest Moslem group in the House, welcomed the resolution. The Europeans opposed the resolution while the Government bloc remained neutral.

#### HOME MEMBER'S DEFENCE OF POLICE

After two hours' discussion, the Council defeated, by 30 votes to 34, Mr. Shyamasprasad Mukherji's resolution, recommending to the Government "to issue necessary orders to stop acts, specially on women and children, of indiscriminate assaults and outrages by the Police and to appoint a public commission consisting of a majority

of non-official members to enquire into the alleged police excesses during the last few months."

Replying to the debate, the Home Member denied the allegations as entirely unfounded. What the police had done they had done in defence of law and order to prevent the province from the results of the civil disobedience movement and the chaos which that movement, if unchallenged, would have landed them in. Denying that there has been any case made out for enquiry, the Home Member opposed the resolution and said: "I have no hesitation in saying that whether in Calcutta or in Bengal, whether in the lower ranks of the constables or the higher gazetted officers, one and all did their duty with wonderful loyalty and discipline, giving examples of wonderful self-control in dealing with the situation."

The Home Member said that, during the movement, eleven gazetted officers, nine Indian officers, forty-two European and other ranks and fifty-two Indian and other ranks were also wounded and two sub-inspectors, sergeants and constables were also wounded and two sub-inspectors killed. These figures, he said, proved conclusively that the Police had to check violence in carrying out their duty in maintaining law and order.

### Bengal Criminal Law Amendment Bill.

**21st. AUGUST:**—Without a division, the Council granted leave to the Home Member, the Hon'ble Mr. W. D. R. Prentice to introduce the Bengal Criminal Law Amendment Bill arming the Executive with the power of arrest and detention without trial. The Bill was intended to continue the Bengal Criminal Law Amendment Ordinance of 1930 and secure those powers for a further period of five years.

Mr. J. N. Basu, Liberal leader, opposed the introduction.

By 69 votes to 29 the Council rejected the non-official motion for circulation of the Bill with a view to eliciting public opinion and by 66 votes to 25 rejected a similar motion to refer the Bill to a Select Committee. When the Bill was considered clause by clause, an attempt was made to limit its operation for a period of two years but the motion was rejected by 56 votes to 35.

Rai Kamini Kumar Das Bahadur of Chittagong was the only elected Hindu Member, who in his speech, opposed the motion for circulation.

Introducing the Bill, the Home Member said that the recent outrage at Chittagong had conclusively proved the existence of a terrorist revolutionary movement against which the present measure was directed. In reply to the critics he said that the movement had gone on for 25 years and had grown in volume and he refused to believe that it would die as a result of political concession.

**22nd. AUGUST:**—After four hours' debate, to-day the Council passed the Bengal Criminal Law Amendment Bill of 1930. An attempt to throw out the Bill at its final reading was defeated by 61 votes to 15.

The fifteen non-officials consisted of nine Hindus and six Mahomedans. They were: Maulvi Hasan Ali, Maulvi Syed Majid Baksh, Mr. P. Banerjee, Mr. J. N. Basu, Mr. N. K. Basu, Rai Bahadur Dr. Haridhona Dutt, Maulvi Abdul Hakim, Kazi Emdadul Haque, Maulvi Muhammad Hossain, Maulvi Azzizur Rahaman, Rai Mahasui Munindra Deb, Babu Haseni Rout, Babu Satyendra Nath Roy, Mr. Shanti Shekhareswar Roy and Dr. N. C. Sen-Gupta.

The notable absentees were Rai Bahadur Keshab Chandra Banerji, Mr. S. M. Bose, Babu Gokul Chand Boral, Mr. B. C. Chatterji, Babu Kishori Mohan Chaudhuri, Dr. Jogesh Chandra Chaudhuri, Babu Satyendra Kumar Das, Dr. Amulya Ratan Ghose, Babu Prafulla K. Guha, Mr. J. N. Gupta, Mr. Jalaluddin Hashemy, Mr. A. K. Fazlul Huq, Maulvi Abdul Karim, Mr. Sarat C. Mitter, Mr. Shyamaprosad Mookherjee, Rai Bahadur S. C. Mukherji, Babu Suklal Nag, Maharaja of Kasimbazar, Mr. Annanda Mohun Poddar, Seth Hanuman Prasad Poddar, Mr. Prasanna Deb Raikat, Mr. K. M. Roy, Mr. Nagendra Nath Ray, Maharaja of Dinajpur, Kumar Shib Shekhareswar Ray, Babu Jitendra N. Roy, Mr. D. N. Roy, Mr. Saileswar Singh Roy, Babu Satya Kinkar Sabana, Sjt. Taj Bahadur Singh, Mr. Arun Chandra Sinha, Raja of Nashipur, Sir Nilratan Sircar.

Among those who voted for the passage of the Bill were: Rai Sahib Panchanan Barma, Rai Bahadur Kamini Kumar Das, Mr. P. N. Guha, Maulvi Azzizul Huq, Nawab Musharuff Hossain, Rev. B. A. Nag, Mr. Sarat Kumar Roy of Dighapatiya, Sir Jadunath Sircar, Rai Sabib Rehati M. Sircar.

After Mr. Prentice had moved that the Bill as settled in the Council be passed, Mr. J. N. Basu, Liberal Leader, opposing said: "The fact that after 175 years of

Britain's connexion with India and in the second quarter of the twentieth century, a measure like the one we have been considering should be sought to be placed on the statute book of the country shows the failure of the British policy in India and the bankruptcy of British statesmanship in dealing with Indian affairs".

Then the Bill was passed as stated by 61 votes to 15.

During the consideration stage of the Bill, all attempts on the part of the elected Hindu members "to soften the rigours of this extra-ordinary measure" as was remarked by Mr. N. K. Basu, were frustrated by the combined votes of the officials, the non-official Europeans, the majority of Moslems and some Hindu members.

With the exception of two all the motions which were opposed by the Home Member were lost. The oppositionists mustered up courage on several occasions and demanded divisions but it was found that the merits of the motions had nothing to do with the divisions in the case of some members who blindly trooped into the Government lobby. The Oppositionists numbering not more than 27 carried on the fight but it was of no avail against the solid mass of supporters of the Bill, none of whom, however, except the Home Member, took part in the discussion that followed. The non-official Europeans in a body stuck to their seats till the final passage of the Bill. The regrettable feature of the incident was, however, the absence of some of the prominent elected members including Mr. B. C. Chatterji, Mr. Shyma prosad Mukherji, Mr. J. N. Gupta and Kumar Shib Sekhaheswar Ray; while Rai Bahadur Keshav Chandra Banerji who was present in the House during questions and answers was found to be absent when the Bill was taken up for discussion.

The debate that followed was monopolized on non-official sides by Mr. N. K. Basu, Mr. S. C. Roy Chaudhuri, Dr. N. C. Sen Gupta and Rai Bahadur Dutt, while the Hon. Member in charge of the Bill rose on every occasion almost to oppose every motions. In two instances the Home Member, however, accepted two minor non-official motions which evoked from the oppositionists "thanks even for this small mercy".

One of the important motions moved by Mr. S. C. Roy Chaudhuri urged the Government to review the case of detained persons at the end of three months instead of one year, and sought to impose a restriction on the power of Government by limiting the period of detention to one year only without giving them the further power to direct further detention of such persons upon such review.

The motion was, however, rejected by 63 votes to 25.

After the Bill was passed, the President adjourned the Council till the 25th when the Primary Education Bill was taken up.

### The Bengal Rural Primary Education Bill

*25th AUGUST*.—To-day after interpellations the elected Hindu members with a few exceptions walked out of the chamber when the considerations of the Bengal Primary Rural Education Bill of 1930 was taken up.

The motion of Mr. Sarat Kumar Roy to refer the Bill to a select committee was put to the vote and declared lost in the absence of these members.

The President next admitted the adjournment motion of Mr. N. K. Basu to discuss the constitutional situation arising out of the continuance of two Ministers in office after the resignation of Kumar Shib Sekhaheswar Ray, Minister in charge of Local Self-Government, in view of the fact that they had joint responsibility.

The House then adjourned till the next day the *26th August* when the Bengal (Rural) Primary Education Bill 1930, involving taxation of a crore of rupees annually, was passed amidst applause. The majority of the elected Hindu members, however, walked out again when the Bill was taken up for consideration.

After interpellations, the President, the hon. Raja of Santosh informed Mr. N. K. Basu that, notwithstanding the consent of the Chair, His Excellency the Governor had disallowed the adjournment motion to consider the situation created by the continuance in office of two Mahomedan Ministers after the resignation of Kumar Shib Sekhaheswar Ray. The Governor was of opinion that the subject related to a matter which is not the primary concern of the local Government.

The Council was then *prorogued*.

# The Bombay Legislative Council

BOMBAY—17 FEB. to 20 MARCH 1930.

The budget session of the Bombay Legislative Council opened on the 17th. February 1930 in the Council Hall, Bombay. Attendance was thin and the entire Swarajist block was absent except three of their number, Messrs. J. D. Karki (Canara), V. N. Jog (Dharwar), and C. M. Shroff (Thana).

After twelve new members had been sworn in, the President nominated the following to form the panel of chairman during the current session : Messrs. H. B. Shirdasani, Joe Addyman, J. C. Swaminarayan, and Syed Mir Mohommed Miran Shah. After formal business, the House adjourned till 2.30 when H. E. the Governor arrived, and was welcomed by the President and Secretary. His Excellency the Governor then delivered his speech.

## GOVERNOR'S SPEECH.

His Excellency the Governor, addressing the House, said that he was confident that any misgivings which might have been felt as regards the effect of the Simon Commission's report would, to a very large extent, have been removed by His Excellency the Viceroy's recent announcement. His Excellency hoped that the people of the Presidency would lend their hearty co-operation for the attainment of the goal which His Excellency the Viceroy had so plainly stated.

His Excellency next said that he had extended the term of the Council to 31st July, but dissolution on that date would allow comparatively little time for the July session. Therefore, should the proposed date of the general elections make it possible, it was his intention to further extend the life of the Council to a date in August to enable the July session being held between the usual dates.

Referring to the mill industry, His Excellency the Governor said that the unhappy strife between the employers and the employed was a source of danger to the industry. They had to take into account the organisation of the industry itself and economic and often world-wide factors.

Financial estimates for the next year, His Excellency observed, showed a balanced budget. After referring to the measures which rendered this possible, His Excellency the Governor said that the Government were satisfied that further attempts in the direction of retrenchment were not likely to prove very fruitful. They had therefore decided to subject each part of the machinery of the provincial administration to a close scrutiny and to examine what could be done to improve it. That overhaul was to have, as its purpose, not merely to make the administration as economical as possible, but also to ensure that each branch of the organisation was so designed as best to fulfil its purpose and permit of a steady development in the future. Regarding aerial connection between Bombay and Karachi, every effort had been and would be made to keep the claims of Bombay before the Government of India.

His Excellency also announced that the Government proposed the survey of the fishing industry during the next cold weather by the Collector of Salt-Revenue, as he was disposed to think that the very valuable resources of the sea board line were not being utilized as fully as they might be.

Measures adopted in pursuit of the goal of Prohibition had been accompanied by an alarming increase of illicit drinking as well as loss of excise revenue. These concurrent developments were now being examined in order to devise, if possible, means of carrying out their policy without needless sacrifice of revenue or encouragement of illicit practice.

## THE DELHI BOMB OUTRAGE

Before the budget speech, after a brief list of questions had been answered, the Thakore of Kewada moved a motion congratulating the Viceroy and Lady Irwin on their miraculous escape from the bomb outrage near Delhi, and strongly condemning



the insensate outrage. The motion, which evoked whole-hearted support from all sections of the House, was adopted with acclamations.

#### Budget Estimate for 1930-31

Presenting a balanced budget for the year 1930-31, in the afternoon, the Hon'ble Mr. Pradhan, Finance Member, declared that the year was marked by a heavy fall in revenues and an equally heavy additional burden of interest charges relating to the Development Department. He announced that the Development Department would be abolished from the end of this month and in the absence of the sanction of the Secretary of State for meeting the interest charges of the schemes, these would be charged to revenue. No further capital expenditure on the Development Department was contemplated, and the work would be distributed among the various departments, resulting in an annual saving of 1.12 lakhs, exclusive of the saving which would be effected in the Engineering Department.

In thousands of rupees, the revenue receipts were 15,73.66 : debts and deposits, etc, 5,85.50 : opening balance 2,22.55 : and the total 23,81.71.

Expenditure (in thousands of rupees) was :—Revenue expenditure 15,73.08 : Capital expenditure 6,12.91 : closing balance 1,65.72. Total 23,81.71.

The Hon'ble Mr. Pradhan said that, after the series of deficit budgets since 1925-26, a deficit of 28 lakhs was feared, but revised estimates anticipated a small surplus of 2 lakhs. Proceeding, he said that the year's budget had been balanced by effecting drastic retrenchment on all heads combined with the expectation that the court and stamp-fees would be renewed, and also that motor taxes would be adopted by the Council.

Dwelling on the proposed motor taxes, the Hon'ble Mr. Pradhan said that there was a rapid increase of motor traffic in the Presidency, which had thrown a large burden on the Government revenues, and the proposed increase was only a belated recognition of the fact: nor did they counterbalance the increased expenditure the Government had to provide. There was some opposition to the proposal on the ground that the increased revenue was not earmarked for road development. He declared that the practice of the Government was that no revenue was earmarked for a particular purpose, but that did not indicate that it would not be utilised for road development. He maintained that the increase satisfied a most important canon of taxation, viz, that no additional cost was necessary for its recovery, and it generally fell on broad shoulders.

Concluding, the Finance Member said that the whole future of Bombay finances depended upon the return of prosperity to Bombay, both in trade and commerce and improvement in the condition of the mill industry.

#### GENERAL DISCUSSION OF BUDGET

*18th. FEBRUARY* :—The Council re-assembled on this day for the General discussion of the Budget estimates and continued it for the next three days up to the 21st february

Rao Sahib Dadubhai Desai, initiating the chorus of condemnation of the budget, severely criticised the Government for their obstinacy in increasing expenditure despite repeated non-official criticism, especially in the matter of Development Department.

Mr. Lalji Naranji vehemently declared that the Presidency was practically ruined through the commitments of the Government of the Bombay and the policy of the Government of India and reiterated the Federation of Indian Chambers of Commerce's warning to the Government. He declared that, unless the Government's policy was modified, the trade and industry of the country would never recover.

Criticising the budget as unskillfully prepared, the speaker suggested to the House to cut down the expenditure by Rs. 25 to 30 lakhs in order to save the Presidency from ruin.

A number of non-official members followed and scathingly criticised various aspects of the budget and the Government's "extravagance."

#### MUNICIPAL ACTS,

*24th. FEBRUARY* :—Dewan Bahadur Harilal Desai, Minister for Local Self-Government, presented to-day to the House the Select Committee's report on the bill further to amend the *Bombay District Municipal Act, 1901. the Bombay Local*

*City Municipalities Act, 1915.* The bill sought to amend the above three Acts in certain procedural particulars.

The bill passed its first reading last year after which it was referred to a Select Committee. The original bill suggested the establishment of Pilgrim Committees for the Local Board areas. The Select Committee recommended that it was advisable for the time being to watch the working of such Committees in the Municipalities where most of the more important shrines were situated before such a proposal was considered in respect of local board areas.

The Minister moved the second reading of the bill.

The bill passed its second reading and also third reading without much discussion.

The Minister for Local Self-Government next presented the Select Committee's report on the bill further to amend the *Bombay City Municipalities Act, 1925*. The bill in its original form sought to invest the Government with the power of vetoing appointment of any person selected for the appointment of a chief officer, a health officer or an engineer on the recommendation of any municipality supported by a resolution passed by a majority of members present at a special meeting called for the purpose. The Select Committee did not consider it necessary for the Government to take power to veto the appointments. The bill as reported by the Committee provided that before Government passed an order an inquiry should be held.

The Minister moved that the bill be read a second time.

Sir Rustom Jehangir Vakil (Ahmedabad) made his maiden speech in the House opposing the bill which, in his opinion, invested the Government with extraordinary power. Looking to the gravity of the subject, the majority ought to be increased to two-thirds at least or as an alternative it must be the majority not of the members present but of the members of the Board.

Mr. R. G. Pradhan (Nasik), a signatory to the majority report of the Select Committee, warmly supported the bill as reported by the Select Committee.

The Minister, in reply, made it clear that unless there were definite allegations against the officer concerned, Government would not interfere. A straightforward duties properly was always safe whatever the majority of the Board might think about him. The bill passed its second reading.

While the bill was on for the third reading, the Minister moved an amendment to the effect that the resolution of the Municipality, unless it was passed at a quorum meeting, would be ineffective. The idea behind the amendment was that if the first meeting was adjourned for want of quorum, the second meeting would be a non-quorum one and in that case the attendance of members would be very small. It was, therefore, necessary that the recommendation should come from a majority vote of a meeting having full quorum. The amendment was carried.

The bill passed its third reading. The House then adjourned.

#### DEBATE ON VICEROY'S PRONOUNCEMENT

25th. FEBRUARY:—The Council discussed to-day the Viceroy's pronouncement on Dominion Status and adopted a resolution moved by Mr. R. G. Pradhan, reading:—

"The Council welcome the declaration made in the announcement by H. E. the Viceroy, that Dominion Status is the political goal of India, and that His Majesty's Government has decided to convene a Round Table Conference to consider the question of constitutional reforms and this Council expresses the earnest hope that His Majesty's Government will find it possible to convene the conference as soon as possible and that its deliberations will be crowned with complete success, resulting in proposals to be laid before Parliament that will carry behind them the hearty support of all those sections of Indian opinion that stand for Dominion Status and the maintenance of the British connection".

Two amendments were moved. Rao Bahadur Kale moved that the proposals to be laid before Parliament be based on sound principles of true democracy and command a wide measure of general assent of all who stand for Dominion Status.

Mr. H. V. Pataskar moved an amendment which, while welcoming the Viceroy's pronouncement and expressing the hope that the Round Table Conference would be convened as soon as possible, asked for the grant of immediate Dominion Status, which would have the hearty support of all important sections of Indian political opinion. Mr. Pataskar, in support of his amendment, declared that in the present state of India, it was necessary to conciliate that important political section, namely, the Congress, which to-day was non-co-operating with the conference because the immediate grant of Dominion Status was not the issue to be discussed in it. Unless

the Congress was conciliated the results of the conference were not likely to be satisfactory.

Mr. J. E. B. Hotson, Home Member and Leader of the House, said that when the debate began, it was his intention to take not more than a purely formal part in it, associating the Government benches with Mr. Pradhan's motion. But the amendment of Mr. Pataskar compelled him to make it clear that the Government did not find themselves in accord with it. It was going too far. It indicated sympathy rather with the extremist element than with the reasonable moderate view which was held by a great majority of the people of the country. (Mr. W. S. Mukadam : Question). As regards the other amendment, the wording of the original resolution was clearer.

Mr. Kale withdrew his amendment. The House rejected Mr. Pataskar's amendment, and passed the original resolution by a large majority.

### Voting on Budget Demands

#### PROPOSAL FOR A NEW MUSLIM COLLEGE

**27th. FEBRUARY:—**The Council resumed to-day discussions on demands for Budget grants. Rao Bahadur Kale's motion to omit the grant of Rs. 65,000 for the opening of the new Ismail College at Andheri, a suburb of Bombay, intended exclusively for Mahomedans, gave the opening for a strong attack on communal institutions. The mover declared that time and again it had been pointed out to the Government that instead of starting new arts colleges, they should establish technological colleges. In view of the fact that the number of arts colleges were sufficient, it would be a sheer waste of money to start one more. The present arts colleges were suffering from lack of necessary funds and no help had been given to them on grounds of financial stringency.

Mr. K. M. Munshi, supporting the cut amidst interruptions from Muslim members, said that he was glad that Muslims were going in for higher education so that they might shake off their extreme communalism which was to be found in and outside the House. All that he asked of the Government was not to set a very dangerous precedent in respect of this matter. They should not depart from the fundamental principles of higher education. He said, "If you want to open colleges by all means do so, but let it be open to students of all communities."

The Thakore of Kerwada : Is not the Aligarh College open to all ?

Mr. Munshi : But here preference is sought to be given to Mahomedans. Let not colleges be turned into communal institutions. I want to know from the Minister if he has got a sufficient number of Mahomedan students for the College. I wonder if there are even fifty prepared to join it.

The Minister : We have got about fifty so far.

Mr. Munshi : For the sake of fifty, is it necessary to establish a separate college ? My suggestion is to make the colleges non-communal. The time has now come when the canker of communalism should be given a quietus by the House.

Mr. Hoosainbhoy Lalji : Is this an exhibition of your feelings of anti-communalism ?

Mr. Munshi : We don't want to perpetuate communalism or make any centre of education either a Mahomedan or a Hindu centre. If you really want to encourage Mahomedans in respect of higher education, let them learn together with the Hindu and other communities.

Mr. Hoosainbhoy Lalji repudiated Mr. Munshi's suggestion.

The Moslem supporters of the Government said that the institution would be open to all.

Mr. J. B. Petit opined that it was desirable that the Government should never accept donations for the maintenance of communal institutions.

Syed Miran Mahommed Shah (Sind) vehemently attacked the opponents of the grant and said that they were advancing arguments based on communal bias.

The Hon'ble Mr. Rafiuddin Ahmed, Minister, replying to the debate, complained that, whatever questions affecting the backward classes and the Mahomedans were discussed, the opposition side had the habit of losing its mental balance. He continued, "Imagine popular representatives asking the Government to break its promise. (ironical laughter and cries of 'Oh'). Why are they opposing the scheme ? I say, simply because money goes to Mahomedans, and they cannot bear it." (Laughter).

The motion for the cut was declared lost, by 52 against 16 votes.

**28th. FEBRUARY:—**Mr. J. C. Swaminarayan (Ahmedabad) moved to omit a

provision of Rs 9,687 as compensatory allowance given to Government Arts Colleges.

The motion was withdrawn.

Mr. N. B. Chandrachud (Poona) moved that the provision of Rs. 2,50,000 for the College of Engineering, Poona, be reduced by Rs. 50,000. The mover complained that the students of this college were subjected to innumerable hardships. The man in charge of the workshop attached to the college had made himself paramount and did whatever he liked without consulting anybody. Admission to the college was subject to very many restrictions and it was almost impossible for poor students to get it. The motion was finally withdrawn.

Mr. L. M. Deshpande (Satara) moved a token cut of Rs. 100 in the total budgeted provision of Rs. 12,47,000 for the University including grants to colleges both Government and aided. The motion was intended to initiate a discussion on the Government's policy regarding the University and grants to Non-Government Colleges in the Presidency.

The Minister of Education remarked that he was taking interest in the affairs of the University when some of them who were now the members of the senate were not born. He had not ceased to take active interest in educational matters.

Referring to the establishment of a college of technology, he pointed out that Government had not yet received the report of the Committee appointed to consider the question. Dr. Munshi was himself a member of that committee and it was a surprise that he of all should blame the Government for not taking any interest in the matter. As soon as the report of that committee reached the hands of the Government, they would immediately move in the matter. The motion was lost.

#### SECONDARY SCHOOLS

Mr. N. B. Chandrachud (Poona) moved a token cut of Rs. 100 in the provision for grants to non-Government secondary schools, inviting discussion on the Government's policy in regard to the distribution of these grants. Members representing various districts complained that adequate grants were not given to the school in their districts. The general complaint was that these grants were insufficient and were not fairly distributed. A suggestion was made that these grants should be rationed. It was repeatedly pointed out that Government gave no encouragement to the starting of new schools.

The Minister of Education, replying to the debate, said that the opinion on the question was so much divided that he did not know what to do. Did the members suggest that the present rule should be changed? Was it suggested that the present grants of some of the schools should be reduced? The report of the Hartog Committee was under the consideration of the Government. He did not know what line of action Government would adopt in this respect. Everybody knew that money did not expand while the number of schools did. He gave a promise that he would see to it that all the defects in distribution that had been pointed out would be looked into and removed. The motion was thrown out.

#### BACKWARD CLASSES.

The policy of the Government as regards the secondary education of backward classes was brought under the last of criticism by Dr. P. G. Solunki (Nominated) who moved a cut of Rs. 1000. He requested Government to show greater consideration to the boys of depressed classes in the matter of scholarships and hostel accommodation. The motion was withdrawn after the explanation of the Minister of Education.

The general educational policy of the Government was next criticised by a number of non-official members on the token cut of Rao Bahadur B. R. Naik (Surat) to reduce by Rs. 1000 the total grant under "Education." The general complaint was that the Government were not carrying out their obligations as regards primary education. The top-heavy administration of Government absorbed a large volume of the Presidency's finances with the result that very little money was left for the development of nation-building departments.

After a good deal of discussions in which the Minister of Education took part the cut motion was withdrawn. The total demand for a grant of Rs. 1,56,25,000 was at last carried. The house then adjourned.

#### MEDICAL GRANTS

*1st. MARCH:*—On this day Moulavi Rafiuddin Ahmed, Minister of Education, made a demand for his grant Rs. 49,36,000 under "Medical—Transferred".

Against this Mr. B. G. Pahalajani (Sukkur) moved that the provision of Rs. 12,

120 for the appointment of a Lay Secretary for the J. J. Hospital be omitted. The budget note explaining this item says that the Lay Secretary is to be appointed for the purpose of attending to the administration of the Hospital which work is now being done by a whole-time I. M. S. officer. The Salary of the Lay Secretary will be Rs. 1,000 per mensem plus the usual Bombay house-rent allowance.

The cut motion was withdrawn.

Dr. M. K. Dixit (Surat) moved to reduce to half the total provision of Rs. 22,680 for the pay of the surgeon and mechanics in Sir C. I. M. Dental Hospital. In his opinion, the pay given to the surgeon was a mere waste of money.

The Minister, in reply, told the House that he had consulted the Surgeon-General in the matter. He would, moreover, assure the House that nothing would be done which would involve waste of money and he would personally reconsider the question. In view of the assurance, the motion was withdrawn.

Dr. M. D. Gilder (Bombay) moved a reduction of Rs. 1,000 in the grant of Rs. 2,95,668 to Nursing Association in the Presidency Hospitals. The motion was brought with a view to impress on the Government the necessity of improving nursing in the hospitals which received grants from Government. Dr. Gilder pointed out that nursing was now regarded as the most important part of medical relief.

After the Minister's assurance to examine the question more carefully, the cut motion was withdrawn.

Rao Bahadur R. R. Kale (Satara) raised a general discussion on the Government's policy in regard to medical department by moving a cut of a round sum of Rs. 1,000 in the total budget demand under "Medical—Transferred". He stressed the necessity of conducting a thorough research into the medicinal properties of indigenous drugs obtained in the Presidency.

A number of non-official members ventilated the grievances of the hospitals in their respective districts. The cut motion was still under discussion when the House adjourned to 14th. March.

**4th. MARCH :—**Hon. Maulavi Rafiuddin Ahmed, Minister in charge of Medical department, replying to the debate referring to the question of medical relief in rural areas asserted that the Government were doing everything in their power to give subsidies to the private medical institutions. He gave an assurance that the Government would extend medical relief to these areas as soon as funds permitted.

The Minister then referred to the Ayurvedic and Unani systems of medicine for which Government support was solicited. They could not expect him, he said, to do in one year all that had been asked during the last six years. He would, however, promise the House that he would bear in mind all the suggestions made by Hon. Members during the debate and would encourage as far as possible both the indigenous systems. Regarding appointments to higher posts in medical service, the Minister averred that all these appointments had been made after a good deal of deliberation and they could not be set aside.

Rao Bahadur Kale's token cut motion was then put to vote and declared lost. The demand for a grant of Rs. 49,36,000 under "Medical Transferred" was ultimately carried.

#### DEMAND UNDER PUBLIC HEALTH

The Minister of Education made a demand for grant of Rs. 26,00,000 under "Public Health". To this Mr. B. G. Pahalajani (Sukkur) moved an amendment that the Provision of Rs. 6111 for the appointment by the Government of India of a Committee to investigate and report on the question of the control of the preparation and sale of medical drugs be omitted. The mover argued that the scope of the Committee's enquiry was very much limited. This Government should refuse to pay its share of the expenditure on this Committee unless the scope was extended.

The motion was lost.

Mr. B. G. Pahalajani then moved to omit a provision of Rs. 14,700 for executive engineers, Public Health. The motion was rejected.

**5th. MARCH :—**To-day Mr. J. C. Swaminarayan (Ahmedabad) moved that the provision of Rs. 2,57,340 for "Grants-in-aid" to Local Bodies for village water supply be reduced by Rs. 100. Mr. Swaminarayan suggested that the Government should give faculties to Local Boards for improving the water-supply in the district of Ahmedabad, where there was great hardship on account of scarcity of water.

Dewan Bahadur Harilal Desai assured the House that he himself was interested

in the question of water supply and was glad to hear criticisms from various honourable members. There were certain places in Gujrat where water was obtained by a little boring while there were others where in spite of deep boring water was not to be had at all. For instance, at Dholera and Dhandhuka borings were made as far as 900 feet deep without success. He emphasised that the Government did their best to give better water-supply in the rural areas and to increase grants to Local Boards.

Replying to Dr. Solanki, he said that even among the untouchables there were classes and castes. For instance, a Dhed would not allow a Bhangi to draw water from his well and vice versa. He had, however, never heard of a single case in which the rights of drawing water from a well built with Government grant were denied to the members of the 'depressed' class.

Dr. Solanki himself was an M. L. C. and as such it was his duty to bring to the notice of the proper authorities any case wherein members of the "depressed" classes were deprived of the rights of drawing water from wells built with Government grant. It was no use talking of the "depressed," suppressed and untouchable classes 'ad nauseam' without giving any particular instances.

The cut motion was thrown out.

Dr. M. D. Gilder (Bombay North) next moved a cut of Rs. 1,000 in the demand under "Public Health." Dr. Gilder enquired as to why no medical man was given the Rockefeller Fellowship last year though applications were invited. He urged the Minister of Education to enter a strong protest if the delay was done to the Government of India in not sending the applications to the Executive Committee of the Rockefeller Foundation.

The Council then adjourned till the 6th MARCH when after further discussion the token cut motion was withdrawn by Dr. Gilder and the whole grant was approved without any reduction.

#### DEMAND UNDER AGRICULTURE

Mr. B. V. Jadhav (Minister of Agriculture) then asked for a total grant of Rs. 27,69,000 under the head of "Agriculture".

Mr. L. M. Deshpande (Satara) moved a cut of Rs. 100 in a provision of Rs. 16,79,00 provided for agricultural education, research and propaganda, etc. He said that though they were spending lakhs of rupees on this department, scientific agriculture had made no progress beyond introducing fertilisers in some places which hardly affected one per cent of cultivable land in the Presidency. He complained that almost the whole attention of the department was devoted to the irrigation crops to the neglect of dry crops. He also urged the Government to devise some agency by which the cotton growers and other cultivators would not be deprived of their proper profits in connection with the sale of their produce in the market.

Discussion continued on the 7th MARCH when the Hon. Mr. B. V. Jadhav Minister of Agriculture, replying to the debate, thanked the non-official members for the constructive criticism which they had offered during the course of the debate. For his part he would assure the House that earnest attention would be paid to all that had been said on the floor of the House. The Hon. Member for Kaira had drawn attention to the urgent necessity of preventing any further fragmentation of small holdings of agriculturists. In this connection the Minister informed the House that in the Punjab the question of consolidation of holdings was handled by the co-operative department and from the reports it could be seen that the results there were satisfactory. In C. P. also the work of consolidation was being successfully carried out. It was a pity, he added, that the bill introduced in this Council had to be withdrawn. It would be better if some private member were to introduce a simple bill on the subject. Such a bill would have a better chance of being accepted than any legislation with an official initiative. Coming to the activities of the Agricultural department, the Minister pointed out that these were mainly, of two kinds, namely of research and propaganda. He would at once say that the charge of apathy and indifference made against his department was absolutely unfounded. Every attempt was being made to give effect to the recommendations of the Royal Commission on Agriculture. The Government of India had established the Imperial Council of Agricultural research. Many Provincial Governments had also established such councils in their respective provinces. The constitution of Bombay Agricultural Council would come before the House very soon probably before the end of the present session.

Proceeding the Minister said that his faith in the power of research prompted him to

believe that in days to come the locust problem would be solved once for all. Vigorous efforts were being made in that direction. Mountain was in labour and sooner or later something would come out of it. The department would now be guided by the wholesome principle of agricultural economy. Research in cotton was going on for a long time and very soon it was expected to bear satisfactory results.

The Minister then referred to the Taluka development associations and other similar organisations of agriculturists and complained that some of them mixed civics and politics together. Proceeding he observed that the sooner they learnt to keep politics confined to its proper sphere the better would it be in the interests of the country. Civics must be kept apart from politics. These Taluka development associations must be run on sound business lines.

The Minister then referred to various agricultural products and explained what efforts were being made by the Government to encourage private initiative. He made a particular reference to the manufacture of mango pulp. He was glad that a number of agriculturists had come forward to pursue this industry on a larger scale than was done heretofore. He, however, regretted that owing to financial stringency he was not able to give any monetary aid to the pioneers of this industry although they amply deserved such a help. He would assure the House that when better times would come Government were ready to push on their activities in this respect. In conclusion, the Minister drew the attention of the House to the adverse criticism made by several members against the activities of the East India Cotton Association. As for himself, he frankly confessed that he regarded this Association as a body which was robbing poor cultivators of what was their due. Of course, he was open to conviction on the matter. It was for the supporters of the Association to justify the existence of this body.

In view of the assurance given by the Minister of Agriculture, Mr. L. M. Deshpande withdrew his amendment.

The agricultural policy of Government was once again brought under the lash of non-official criticism when Mr. J. C. Swaminarayan moved a token cut of Rs. 1,000 in the total grant under "Agriculture Transferred."

The cut motion was finally withdrawn. The total demand for a grant of Rs. 27,69,000 was carried. The House then adjourned.

#### DEMAND UNDER INDUSTRIES

*5th. MARCH*:—The Council to-day discussed for three hours the cut motion Rs. 100 from the provision of 'Industries' moved by Mr. Pataskar.

Mr. Rafiuddin Ahmed (Minister of Education) moved for a grant of Rs. 1,37,000 under the head of "Industries" (transferred), to which Mr. H. V. Pataskar (East Khandesh) moved a cut of Rs. 100. Mr. Pataskar wondered if Government were serious in running the Department of Industries, as no effort was made to advance the cause of Industries in the Presidency. He pointed out that the prosperity of the Presidency entirely depended on the progress of Industries.

*10th. MARCH*:—Moulvi Rafiuddin Ahmed, Minister of Education, replying to the various criticisms made by non-official members on the Department of Industries on the last two days said that throughout the debate on the motion not a single new argument had been advanced by members. The mover of the cut took considerable time of the House in proving that the British Government destroyed the old industries in Deccan which had flourished in the time of Peshwas. The point was as irrelevant as it was untrue. A similar lie was uttered in the House last year when the Leader of the House nailed it to the counter. It was also not correct to say, continued the Minister, that the Director of Industries had not enough and sufficient to do.

The motion was rejected.

Mr. Lalji Naranji (Indian Merchants Chamber) then moved a cut of Rs. 10 in the total provision of Rs. 1,32,000.

The cut motion was lost and the whole demand was agreed to.

Mr. H. M. Rahimtoola (Bombay South) moved a cut motion of Rs. 100 from the provision of Rs. 1,500 under the head of "Fisheries." Mr. Rahimtoola said that since 1910 the Government of Bombay had done nothing to develop this industry, while Madras had gone far ahead.

Mr. B. V. Jadhav pleaded financial stringency for keeping pace with Madras in the matter of fisheries. An experiment was made with a trawler, but it had not proved a success in the waters of Bombay. The cut motion was lost.

## DEMAND UNDER CIVIL WORKS

*11th. MARCH* :—The Council to-day considered the cut motion of Mr. L. M. Deshpande of Rs. 100 from the total grant of Rs. 1,31,16,000 under the head of "Civil Works." Many Hon. Members drew attention to the deplorable state of roads in their districts. Rao Sahib Dadubhai Desai characterised the Public Works Department as a Public Waste Department while Syed Miran Muhammad Shah severely complained of the lack of decent roads in Sind. Mr. H. V. Pataskar urged Government to stay their hands from increasing license fees on motor cars.

Hon. Sir Ghulam Hussain Hidayatulla said that there were some hon. members who did not wish to undertake new works while others wanted new works and wished to spend large amounts on them. He assured the House that the amount of the grant was used only on the construction and building of roads and repair works. It would be a penny wise and pound foolish policy not to expend any money on the progress of the work already in hand. The Government were at present spending on capital works, military works and the works of the local bodies. Referring to the construction of a trunk road between Ahmedabad and Bombay, he said, it would cost crores of rupees and Government did not propose to construct roads which ran parallel to the railway lines.

The cut motion was lost. The whole grant for Rs. 1,31,16,000 was then agreed to.

The Hon. General Member then made a demand for Rs. 7,12,000 under the head of Bombay Development Scheme, which was agreed to without a discussion. The Council then adjourned.

*12th. MARCH* :—Sir Ghulam Hussein Hidayatullah moved to-day a demand for a grant of Rs. 3,12,47,900 under the head of "Lloyd Barrage and Canals Construction."

Mr. Haji Mir Mahomed Baloch (Karachi) moved that the total grant be reduced by Rs. 1,000. Mr. Baloch severely criticised the activities of the Government on Lloyd Barrage and complained that establishment charges were gradually mounting up and that no effort had been made to economise in that direction. There was no necessity to appoint five superintending engineers for the Barrage works. The Government were indulging in extravagant expenditure on the scheme, he said.

Mr. S. C. Harrison (Chief Engineer, Lloyd Barrage) characterised Mr. Baloch's speech as most amazing. In the first place, he remarked, Mr. Baloch attempted to belittle the two experts appointed by Government to review the scheme and wanted Government to consult Sir John Auckland in regard to the Barrage project.

Mr. Baloch had made many mis-statements in his pamphlets and he was inclined to use sharp words, but would follow the advice of the President and say he had made many incorrect statements. Mr. Baloch had alleged that the Vishveshwaraya Committee were taken to Sind when the Barrage works were at a stand-still and under inundation. Mr. Harrison said that that was absolutely incorrect, as the Committee were able to see the works at the bed of the river.

Continuing he said the revised figure given two years ago by the General Member was Rs. 20,03,00,000. The excess was only 9 per cent over the original estimates of 1,835 lakhs. He submitted that if they were able to complete the work within the revised estimates, it would create a record.

The motion cut was negatived and the original grant of Rs. 3,12,47,000 was agreed to. The Council then adjourned.

## BOMBAY CITY MUNICIPAL AMEND. BILL.

*13th. MARCH* :—Dewan Bahadur H. D. Desai introduced Bill No. V of 1930, to amend the City of Bombay Municipal Act of 1888. The object of the bill was to provide for the appointment at the cost of the Bombay Municipal Corporation of a Presidency Magistrate or Magistrates for the trial of municipal cases. It had been represented to Government that the existing number of Presidency Magistrates was not sufficient, owing to pressure of other work to enable them to devote the necessary time to the disposal of municipal cases with the result that great delay occurred in the disposal of those cases. The Corporation agreed to bear the cost of the appointment of such magistrates and their establishment.

Mr. H. M. Rahimtoola (Bombay South) opposed the bill on two grounds. Firstly, on the ground of the policy of the Government to encroach upon the resources of local bodies and, secondly, that the administration of justice should be above suspicion. Because the Government of India treated the Government of



Bombay unjustly, he said, there was no reason for the Government of Bombay to attack the resources of local bodies. The Government of Bombay were for the past few years trying to increase their revenue by taxing entertainments and transfer of properties.

Mr. J. E. B. Hotson expressed his surprise at the opposition of Mr. H. M. Rahimtoola. It was perfectly true that for a number of years Government had been appointing Magistrates and the Municipal Corporation got the benefit of receiving fines which amounted to half a lakh to one lakh a year. It was pointed out by the Chief Presidency Magistrate, the Commissioner of Police and the Bombay Municipality that the existing Magistrates were not sufficient. If the Municipality wanted quick disposal of Municipal cases, they should pay for the appointment for an additional Magistrate.

The Calcutta Municipality actually paid for two Magistrates. In 1925 the then President of the Municipal Corporation, now President of the Legislative Assembly complained that the Magistrates did not fine the accused as they ought to and that fines should be increased.

The arrangement arrived at with the deputation of the Municipal Corporation was that the appointment should be made in the first instance for the year, subject to the extension of the period of two or three years, as desired by the Municipality.

The Bill was then read the second and third time.

#### BOMBAY CIVIL COURTS ACT AMENDING BILL

Mr. J. E. B. Hotson then introduced the Bill further to amend the Bombay Civil Courts Act 1869 and to amend the Sind Courts Act 1926. It was proposed to raise the pecuniary jurisdiction of Second Class Subordinate Judges up to Rs. 7,500 in certain cases etc. The Bill was read the third time and passed.

#### CORONER'S ACT AMEND. BILL

Mr. J. E. B. Hotson next introduced the Bill further to amend the Coroner's Act, 1871. The amendment provided for the Coroner holding a preliminary inquiry into the cause of death without a jury, and if he was satisfied as to the cause of death he could permit the disposal of the body without summoning a jury. If, on the preliminary inquiry, the Coroner was not satisfied as to the cause of death or thought a 'post-mortem' examination desirable, a jury would be empanelled in the usual way.

As some members suggested reference of the Bill to a Select Committee Mr. J. E. B. Hotson agreed to it.

#### BOMBAY PORT TRUST ACT AMEND. BILL

Sir Ghulam Hussain Hidayatullah introduced a Bill further to amend the Bombay Port Trust Act 1879 which was read the third time. The Council then adjourned.

#### COTTON CONTRACTS REPEAL BILL

14th. MARCH :—Mr. J. C. Swaminarayan (Ahmedabad) asked for permission to introduce a Bill to repeal the Bombay Cotton Contract's Act, 1922. He said that the Act had outlived the purpose for which it was brought into existence and there was no longer any necessity for it.

The permission was granted and the Bill was formally introduced.

#### HOUSES FOR MIDDLE CLASSES.

Mr. H. M. Rahimtoola (Bombay South) then introduced a Bill further to amend the City of Bombay Improvement Trust Transfer Act 1925. Mr. Rahimtoola explained that "in view of the continued trade depression and of the consequent depressed state of the land market in the City of Bombay, the disposal of the Improvement Trust plots is much hampered, and therefore, a number of plots are lying idle on the hands of the Trust especially in the north of the Island. Applications are being made to the Trust especially by their staff to grant them facilities by way of Building Loans. The object of the Bill is to enable the Trust to provide facilities by way of advances to persons of moderate means who desire to take up land for the erection of small buildings mainly for residential purpose. The advances will be made by the Trust in accordance with the rules to be framed by the Committee and approved by the Board."

Dewan Bahadur H.D. Desai opposed the Bill and said that it should not be rushed through in a hurry, as a conference was proposed to be held between the Municipal

Corporation and the Government in regard to the amalgamation of the Improvement Trust with the Municipality. After the conference there would be time enough to consider the question. The plots at Khar were sold on the security of lands to those who took loans from Government to build buildings which was not the case with the Improvement Trust. He therefore suggested waiting for some time.

The President put to vote the first reading of the Bill and it was lost in the division by 29 votes against 34.

#### BOMBAY MUNICIPAL ACT AMEND. BILLS

Mr. H. M. Rahimtoola then introduced the first reading of the Bill further to amend the City of Bombay Municipal Act, 1888. Mr. Rahimtoola in explaining the objects of the Bill said :—

"Under the City of Bombay Municipal Act, 1888, the election of the Schools Committee as a whole never takes place. Four members retire every year and their places are filled up. When there were twelve members on the Committee a member once elected gets a life of three years; whilst now when there are sixteen members his life is of four years, i.e., one year more than the life of the Corporation. In the case of the Standing Committee a new Committee is appointed after general elections and half the numbers of members retire every year. A new Corporation after general elections never gets a chance of appointing its Schools Committee. This is not a desirable state of affairs."

The Bill was referred to a School Committee.

Mr. H. M. Rahimtoola then introduced one more Bill to amend the City of Bombay Municipal Act 1888. This Bill gave the right of asking questions to Councillors or the Commissioner just as the Trustees did in the Board meeting and interpellated the Chief Officer. The Bill was referred to a Select Committee.

#### BOMBAY UNIVERSITY ACT AMENDING BILL

Mr. S. C. Joshi next moved the first reading of the Bill to amend the Bombay University Act, 1928. In this Bill Mr. Joshi sought representation of the Labour interests in the University Senate. The Bombay Municipality, Improvement Trust and Port Trust had given representations to the Labour and Mr. Joshi referred to the speech of Sir C. V. Mehta in which he gave an assurance to consider the claims of the Labour if they were properly organised and asked the Government to redeem their promise by passing the Bill.

Mr. A. N. Surve, Mr. Syed Munawar and Rao Bahadur S. K. Bole supported the Bill which was discussed on the 18th. MARCH.

The Minister of Education sympathised with the object of the Bill and pointed out considerable difficulty in regard to the selection of members.

If Labour was organised like the millowners, he said, there would be no such difficulty. He did not find a single professor, principal or a learned man in the backward class whom Government can nominate on the Senate.

The motion for the first reading of the Bill was thrown out by 15 votes against 34.

#### GENERAL MEDICAL COUNCIL CENSURED

At 4 p. m. Dr. M. D. Gilder moved the adjournment motion to discuss the "serious situation created by the action of the Executive Committee of the General Medical Council of Great Britain refusing to continue the recognition of the Indian Medical Degrees including those of the Bombay University and the consequent harm done to the rights and prospects of the medical graduates and students of the Bombay Presidency in respect of admission to the Indian Medical Service".

Dr. Gilder moving the adjournment motion declared that great injustice had been done to the Medical profession in India. A challenge has been thrown to it. He urged the profession to accept the challenge and to press for the abrogation of the decision. He did not suggest "we must retaliate, but we should have reciprocity in the full sense of the word."

The motion was widely supported among others by Messrs. J. B. Petit, K. M. Munshi and Lalji Naranji. Mr. Petit said that the Indian students who were in the habit of going to the United Kingdom for medical studies, would be compelled to go to America and the Continent. Thus a happy relation hitherto maintained between the English Universities and this country would not only be lost to India but to the United Kingdom. There was only one answer that India could give to the decision of the General Medical Council, namely, to call on all students to give up their

intention to proceed to British Universities and urged the Secretary of State not to insist on British Medical qualifications in future.

Sir Gulam Hussain Hidayatulla, General Member, agreed that the effect of the decision on Indian Medical graduates was very serious. The Government of Bombay have already sent a telegram to the Government of India who asked them to inform the House that they were carrying on correspondence with the Secretary of State in connection with the British Medical Council's decision and the Government of India would take action in consultation with the Local Government.

Sir Ghulam Hussain assured the House that the views of the members expressed in course of the debate would be communicated to the Government of India. He urged the motion to be withdrawn. (cries of No. No.)

The motion was put to vote and carried unanimously.

#### ALLOWANCE TO VILLAGE SERVANTS

19th. MARCH :—Hon. Mr. G. B. Pradhan demanded Rs. 16,000 under the head of "General Administration" for the payment of allowance to village servants employed to guard or petrol the Railway line during the G. I. P. Railway strike. Hon. Mr. Pradhan said that a large number of village servants had been employed continuously for several days at a time or longer in the districts through which the railway ran for the purpose of guarding and petrolling the line. Government, after consulting district officers, sanctioned a daily allowance of four annas from the first day of the strike. He hoped that the Government of India would agree to pay this amount in which case it would be credited in the next year's account on the receipt side. The demand of Rs. 16,000 was granted.

#### BOMBAY PREVENTION OF PROSTITUTION ACT

20th. MARCH :—In the council to-day Mr. Hotson introduced a measure of great importance amending the Bombay Prevention of Prostitution Act of 1923, which sought to make a more comprehensive definition of "brothel" so as to render liable for punishment the female as well as the male brothel-keepers and also landlords who knowingly permit the premises to be used as brothels. The measure was welcomed and after the first reading, was referred to a select committee.

Mr. Hotson said :—"Commercialised vice is an enemy which we seek to defeat. We are not attempting to interfere with the right of any woman to make such use of herself as she may choose, however foolish and calamitous. But we desire to arrest slave traffic, whereby the women are deprived of their freedom, their health and their self-respect for financial profit of those who exploit them."

Mr. Hotson said that he had moved slowly but determinedly and the step proposed was not only theoretically desirable but practicable.

Miss Ida Dickinson in her maiden speech supported the Bill.

Messrs. Grenville, Bullocke and J. B. Petit while supporting the measure feared that it might tend to increase the vice rather than reduce it.

The Council then *prorogued*.

### July Session—Poona—7th. to 17th. July 1930.

#### Official Bills.

The July Session of the Council met at Poona, on the 7th. July 1930, 26 new members taking the oath of allegiance. After question time Government moved the second reading of the *Coroner's Act Amendment Bill*, which was passed with minor alterations.

The second reading of the *Local Self-Government Audit Bill* was then proceeded with which places the financial responsibility on the president and members of Local Bodies for illegal payments or loss incurred by misconduct or gross negligence.

8th. JULY :—The Council continued the debate on the Local Bodies Audit Bill, the Opposition maintaining that there were no safeguards against harassment of members by the auditors of the Government.

The Minister emphasised that the Bill only affected dishonest people and also safeguarded the interests of the rate-payers and the purity of the administration.

The motion to delete the words "gross negligence and misconduct" was lost by 48 votes to 21. The Bill passed second and third readings.

The *Corner's Act Amending Bill* passed the third reading.

The Hon. Sir E. Hotson then moved for the second and third readings of the *Prostitution Act* which was passed without debate. The mover announced that it will be made operative in all towns where the present Bill was working.

The *New Opium Bill* giving investigating powers to assist Excise Inspectors passed all stages in seven minutes.

The *University Bill* to overcome difficulties of the Senate elections was then moved and a lengthy debate ensued on technicalities. After an angry scene when Mr. Kale accused the Minister, Mr. Rafiuddin Ahmed of insulting him by saying that Mr. Kale was misleading the House, the Bill was referred to a Select Committee.

The Hon. Sir Ernest Hotson then moved the *Criminal Tribes Amending Bill* extending its operation to cattle-thieving gangs in Sind.

#### BOMBAY CITY MUNICIPAL ACT AMEND. BILL

9th. JULY:—The Bill to amend the Bombay City Municipal Act was to-day taken up for discussion. Rao Bahadur Kale moved an amendment that the President of the Bombay Corporation be empowered to compel Municipal Commissioners to answer questions put by Councillors.

Messrs Murzaban and Ashvale opposed the amendment while Mr. Petit, Sir Vasant Rao Dabholkar and Mr. Hussainbhai Lalji supported the amendment.

The Minister for Local Self-Government said that he was unable to accept the amendment, as there were certain matters which should be kept confidential and which the Commissioner should not disclose in the interest of all concerned.

After some further discussion the amendment of Mr. Kale was lost and eventually the Bill was passed.

The Council then took up Syed Munwar's Bill to widen the franchise in Bombay City. There was strong opposition from non-official members to the Bill. Ultimately the Council rejected the first reading by 35 to 14.

Mr. R. G. Pradhan then moved his motion urging the Bombay Government to recommend the Government of India to supplement the Viceregal announcement about the Round Table Conference. The Council then adjourned till the next day the 10th. JULY, when a desultory debate for four hours elicited little striking comment on the Viceroy's speech, many members accepting it gratefully as a decided step forward. Others declared that the motion was most inopportune. The leader of the House declared that the Bombay Government was always sympathetic to India's aspirations.

Mr. Pradhan replied saying that he had not fully understood the Viceroy's speech and so he withdrew the motion. The House then adjourned.

#### DEMAND FOR MAHATMA'S RELEASE

11th. JULY:—In the Council to-day Dr. R. T. Nariman (Bombay South), moved: "This Council recommends to the Government of Bombay, in view of the great necessity for restoring peace in the country and to avert a political deadlock and to create a favourable atmosphere for the Round Table Conference, to release Mahatma Gandhi without delay."

Dr. Nariman in the course of his speech said: "To call the present national movement in India a seditious movement is a gross perversion of facts. No one can deny the fact that the political situation in the country is very serious to-day. It needs the greatest statesmanship and farsightedness on the part of the Government to cope with it. I consider it my duty to sound a note of warning to Government that repression is no remedy for the present political unrest in the country. On the contrary such repressive policy of Government is responsible for making the situation worse. The masses of the country can no longer tolerate the police and military excesses committed in the different parts of India and in this Presidency in particular. These excesses to my mind have added fuel to the fire of agitation, increased the number of extremists and led to greater and greater efforts at defiance of the extraordinary and ordinary laws."

"There are differences of opinion, proceeded the speaker, as regards the civil disobedience movement launched by Mr. Gandhi. A few consider it a mistake, but some people think it inevitable as it is the only means of fighting their cause as all the constitutional methods, hitherto adopted by them for the last four decades, have

been absolutely ignored. The present campaign of civil disobedience and the boycott of British goods is the only weapon left in the hands of those law-abiding and unarmed people of the country in order to make it impossible for the Government to govern, and thereby to attract attention to the oft-repeated demand for freedom and justice. What else can the Indian people do under such woeful circumstances, may I ask my honourable colleagues? So far neither the Liberals, Moderates nor Independents have placed before the nation a more effective scheme to gain national freedom. It is a serious mistake to disregard Mr. Gandhi as a leader of the nation. If you feel the pulse of the nation you will find that notwithstanding the differences of opinion amongst the politicians of India, Mr. Gandhi is held in the highest esteem by all classes of people in India and abroad.

"Government has certainly made its great blunder by imprisoning him under a century-old enactment, depriving the country of the leader who was the best policeman and whose influence was the greatest restraint upon the forces of violence. The reason why the commercial and industrial classes have joined in this civil disobedience movement is that they feel that the political discontent in the country has deepened owing to the economic exploitation of India for the benefit of Great Britain, coupled as it is with political and military domination. The economic depression already very bad, is getting more and more acute as a result of this political muddle. Government must clearly understand that complications have arisen which can never be done away with by repression and by a violent display of physical power. Such complications can only be cured by a real stroke of statesmanship appealing to the heart and imagination of the people by acknowledging their right to frame their own constitution. India is now united in her demands for freedom from the foreign yoke to which she is at present subjected. This demand is an expression of a spirit of nationalism, and it must be granted gracefully, the sooner the better. An eyewash is useless and crumbs are now no longer acceptable. It is high time that the British redeemed her former pledges and by so doing reclaimed the loyalty of India's millions by accepting India and her peoples as free and equal partners within the British Empire thus forging links of friendship and loyalty which may ensure an everlasting peace."

The debate was continued on the 14th JULY when Sir Sheh Bhutto, Leader of the Muslim Party, said that Muslims decided not to vote and remain neutral.

Sardar Mody moved an amendment adding the proviso that the civil disobedience movement should be called off immediately.

A further amendment of Mr. Talyar Khan was to offer to release Mr. Gandhi to enable him to consider about the civil disobedience movement and participate in the conference.

Sir Vasant Rao Dabholkar reminded the Council of Mr. Gandhi's solemn oath not to change his policy till real Swaraj was gained. Hence the resolution was an insult to Mr. Gandhi. A sensation was caused by the sudden withdrawal of the resolution immediately prior to the Home Member's reply, the mover apparently considering the chances small.

#### THE SHOLAPUR RIOTS

Rao Bahadur Kale next moved a resolution calling for an enquiry committee presided over by a High Court Judge to investigate into the Sholapur riots and its aftermath. The mover declared that his reasons were the operation of Martial Law and the heavy sentences. Mr. Knight, Sholapur Collector, replied amidst applause giving a full vindication of official action and gave an assurance that he was conducting personal investigation into every detail and appealed for information to clarify the happenings. The Leader of the House vehemently defended the officials. The resolution was lost.

15th. JULY:—The Council passed numerous supplementary demands to-day. Several minor bills passed all the stages with little debate including the Bill relating to election to the Bombay Corporation Schools Committee. The remainder of the Bills were non-controversial. The Council then adjourned.

#### The Governor's Address

Sir Frederic Sykes, the Governor, addressing Council on the 17th. JULY, on the eve of its dissolution, devoted the greater part of his speech to the Civil Disobedience movement.

His Excellency announced that the next general elections would be held in September, as it would be necessary to complete the elections before the Round

Table Conference. He thanked all the members for the manner in which they had discharged their functions during the extended period of the lifetime of the council.

The Governor next disclosed that the Government of India had accepted the arbitrator's decisions re. the long controversy about the taking over of Block 8 of the Back Bay Reclamation Scheme. A special institution styled the Backward Classes Board and other proposals to improve the economic and social condition of the depressed classes would be shortly given effect to.

Referring to the Mill Industry, His Excellency stated that the present situation was due to world-wide economic depression and, secondly, the effect on the credit of India's political unrest. The Governor declared, "The real blame for the economic distress which is overtaking the poorer classes falls not on world-wide causes, not on the Government, but on those who have sought to paralyse trade and to wreck credit for the sake of political advantage.

#### "ATTEMPT TO PARALYSE ADMINISTRATION"

Referring next to the Civil Disobedience movement, Sir Frederic Sykes stated : "There is a very general confusion of thought in regarding this movement as merely a special agitation for constitutional advance. I shall say nothing about the latter at this point, as it should be separated entirely. We may all sympathise strongly with the honourable longing to see India take her equal place among the self-governing peoples of the world which has already resulted from the influence of the British connection with India but such a desire has no legitimate connection with the determination to secure certain undefined political benefits by force, and that is what civil disobedience means. There are those who seek to justify that force by the term "non-violence", but as applied to organised lawbreaking or resistance to law, that is merely a contradiction in terms. Any person who voluntarily takes action in order to provoke conflicts becomes *ipso facto* an aggressor. There is no difference in principle between any such action and armed violence. It is only a question of the weapons chosen. Constructively, the civil disobedience movement began in violence, as in fact it has resulted in violence. Is it any defence to urge that the motives of the aggressors are justifiable? The quality of action is to be judged by its immediate object which, in this case, has always been to paralyse the administration, and give birth to anarchy, leaving the future to look after itself and regardless of the consequence the peace and prosperity of all India.

#### "SHEER DESIRE TO DESTROY"

Sir F. Sykes continued : It was not long before passive resistance to law gave way to an active campaign of plundering and stealing property, both Government and private, initiated by raids on salt depots. This has been followed by the open looting of State property. Valuable plantations of timber have been cut down and forest produce has been stolen. There are some who might still be inclined to regard breach of the Salt Law as merely a political gesture, free from motives of gain. But, by stretch of no imagination, can these other activities be classified as the expression of a political ideal. When uneducated agriculturists loot forest produce, they regard the act merely as a means of obtaining, free of charge, valuable property. In appealing to such motives, the organizers are deliberately using the weapons of the anarchist. Such actions as cutting down telegraph poles, felling toddy palms, destruction of property belonging to the excise licensees and burning of Sholapur courts have been prompted by a sheer desire to destroy.

"Throughout this campaign, the weapon of intimidation has been ruthlessly employed to compel neutral persons to surrender their conscience, and their liberties and even human life has not been safe from wanton aggression. Many innocent persons have been molested and attacked. The drowning of three men in Surat district was the direct consequence of the so-called 'non-violence'. The brutal murder of Sholapur policemen is fresh in the minds of all.

#### "INTERFERENCE WITH TRADE"

"The unmistakable consequences of this campaign of lawlessness and violence are that the lawless tribes of Dharalas have been emboldened to commit dacoities. I may remind you of the constant interference with even retail trade which is being caused by the hartals.

"Besides immediate loss to public property, loss of revenue is now anticipated under land revenue, excise, scheduled taxes, and stamps there will be a large excess of expenditure on police and jails. The whole extra cost must necessarily fall on the

tax payer. It is at any rate clear that the Government could not, consistently with its duty to the community as a whole, allow a free hand to an agitation deliberately employing such methods and involving such serious consequences to the peace and prosperity of the country. To meet what was essentially a revolutionary movement, it was necessary to obtain extraordinary powers which would be withdrawn as soon as the cause is removed. It is in the highest degree unfair to present the police as aggressors. The police force in the Bombay city and in the mofussil has, on the whole, shown wonderful restraint and discipline which should compel admiration.

#### WAY TO RECONCILIATION NEVER CLOSED.

"But the way to reconciliation is never closed. The Government would be most ready and glad to respond to any tangible evidence of a change of intention on the part of those who have organised this movement. There could be no question of negotiation with persons whose declared object is to make orderly government impossible. It is for them to create the conditions, in which a happier state of things can be restored. I earnestly hope you, gentlemen, will throw your best influence into the scale to secure this result.

#### "AT THE PARTING OF THE WAYS"

"This country is now at the parting of the ways. It has to choose between the law and order or murder and arson. Right-minded citizens should withhold their sympathy and support from this movement. The tendency to throw the onus on the Government and say that if the Government had given us what we want, there would have been no such movement, will be the setting up of blackmail and defiance as legitimate political weapons.

#### THE ROUND TABLE CONFERENCE.

"The Government never seek to stand in the way of India's real aspirations. India has now the Viceroy's word on the Round Table Conference. I would ask you to remember that a constitution cannot be given to a sub-continent by a mere political phrase. We cannot approach the matter by saying 'Let there be Dominion Status.' The building up of the Indian State is a task beside which the complexities of the other self-governing Dominions pale into insignificance. Face all facts, helped by good-will and a spirit of compromise. It would be wrong to regard the Simon Report as in any case an impediment to India's progress. There is no greater aid to a systematic discussion of anything than a concrete scheme and the Simon Report gives most valuable assistance in working out a consistent and convincing scheme.

# The Madras Legislative Council

MADRAS—20th. JAN. TO 1st. APRIL 1930.

## THE MALABAR TENANCY BILL.

The last session of the third Madras Legislative Council began its January session on the 20th. January 1930. The President read a message from the Governor recommitting the Malabar Tenancy Bill, passed at the last session, for the incorporation of certain amendments the consideration of which was postponed till the next-day.

Mr. A. Y. G. Campbell, in the absence of the Finance Member owing to indisposition, moved the grant of Rs. 30,000 as a contribution to the Central Government towards the cost of the Provincial Banking Inquiry Committee.

Mr. Saldhana, supported by Sir A. P. Patro and Mr. Ranganada Mudaliar, ex-ministers, moved a token cut pointing out that the inquiry having been initiated by the Central Government the latter should bear its cost.

The House rejected the motion for a cut and the grant was approved.

**21st. JANUARY:**—The Council passed the Malabar Tenancy Bill which was re-committed to the Council by the Governor with certain amendments which included the omission of the clause in the Bill as originally passed dealing with summary procedure for realisation of arrears.

The House discussed the amendments and incorporated them in the Bill.

## DEBATE OVER MUNICIPALITIES BILL.

**22nd. JANUARY:**—The Council resumed the discussion of the District Municipalities Act Amending Bill introduced by the Chief Minister.

A heated discussion ensued on Mr. C. E. Wood's amendment providing for reservation of seats or special representation for particular minority communities on municipal councils.

This amendment, also another providing for special representation for Chambers of Commerce and Trades Associations, were rejected.

The House agreed to delete the clause disqualifying the chairmen of municipalities for membership of the Legislature.

**23rd. JANUARY:**—On this day an amendment qualifying the village officers and disqualifying the Honorary Magistrates for election was accepted by the Hon'ble Minister for Local Self-Government who was in charge of the Bill and was accepted by the House. It was decided that no proposal adversely affecting any permanent municipal officer who has been in service for more than 5 years and is drawing a salary of not less than Rs. 50 a month should be considered except at a special meeting convened for the purpose and that no such proposal should be given effect to unless assented to by at least half the members of the Municipal Council.

An amendment moved by the Chief Minister that the Local Government shall appoint officers to the municipal staff and fix their salaries and making them irremovable except by the local Government, provoked a heated discussion.

Dewan Bahadur B. Muniswami Naidu contended that these officers were paid by municipal councils and the municipal councils ought to have power either to appoint or to dismiss them.

Mr. J. A. Saldhana characterised this proposal as reactionary and threatened a walk out. The amendment was withdrawn.

Another amendment by the Chief Minister enabling the Local Government to constitute any class of officers or servants of municipal councils into a municipal service for the presidency of Madras was also adopted with the restrictions that the Local Government should consult the municipal councils before so constituting the service and the majority of municipal councils so consulted should approve of the formation of such a service.

An amendment that the Local Government should agree to pay a contribution of not less than half the salaries of such officers was however withdrawn.



The Government accepted an amendment to remit a part of the tax when one of services for which the tax was imposed was not rendered to the taxpayer.

#### CONDEMNATION OF BOMB OUTRAGE ON VICEROY

24th. JANUARY:—The Council which met to-day for the transaction of non-official business unanimously passed Dewan Bahadur Kesava Pillai's resolution condemning the Bomb outrage on the Viceroy's train which was given priority over other resolutions. The resolution ran as follows: 'This Council views with abhorrence the attempt to wreck the Viceroy's train and feels profoundly grateful for the providential escape of their Excellencies and party.'

Mr. Muniswami Naidu, leader of the Justice Party, seconding, described Lord Irwin as the greatest Viceroy of India and characterised the dastradly attempt as cowardly and unpatriotic.

Mrs. Muthulakshmi Reddi said that Lord Irwin was a farsighted statesman whose name would go down in history for the support of the Sarda Act and the recent pronouncement on India's future constitution.

The leaders of other parties including Mr. A. Y. G. Campbell of the Government warmly supported the motion which was carried.

#### THE MADRAS PUBLIC GAMING BILL

Mr. F. E. James, planters' representative, introduced the Madras Public Gaming Bill which sought to suppress the bucket shops and gaming throughout the presidency. He pointed out that since the passing of the Bill for the suppression of bucket shops in the Madras city the proprietors of the so-called clubs had migrated to mofussil where the evil is assuming grave proportions.

Sir Mohamed Usman assured the Government's support for the passage of the Bill, which was referred to a select committee.

#### SUPPRESSION OF BROTHELS BILL

The Bill aiming at the suppression of brothels in the presidency was recommitted, to the select committee as certain provisions therein did not receive the Government's sanction, particularly the provision relating to the establishment of rescue homes by the Government.

#### RELIEF TO DESTITUTE PERSONS

The Council next carried the Maharajah of Pithapuram's resolution recommending to the Government to take immediate steps to constitute a committee both of men and women to enquire and report on the best way of giving relief to orphan boys, girls and destitute persons of all ages who are unable to earn a living owing to some physical or mental defect, disease or old age.

#### APPRECIATION OF VICEROY'S EFFORTS

27th. JANUARY:—The Council reassembling to-day, Dewan Bahadur Kesava Pillai moved:—

"This Council welcomes the Viceroy's Pronouncement of October 31 regarding Dominion Status and a Round Table Conference as a timely and statesmanlike offer and trusts that the Pronouncement will be fully given effect to, to the satisfaction of all parties."

The mover recalled India's services to the Empire and the past promises of British statesmen. He opined that Lord Irwin had won India's heart by his transparent sincerity and honest desire to advance India on the road to her rightful place in the common-wealth of nations. He expressed the hope that the Round Table Conference would help to solve the Indian problem in a just and fair way and that men of the type of Sir Mahomed Habibullah and Mr. C. Vijayaraghavachariar should be selected to sit therein.

Dewan Bahadur Muniswami Naidu, leader of the Justice party, seconding the resolution said that India was profoundly thankful to Lord Irwin for his clear enunciation of British policy in India. He welcomed the Viceroy's speech in the Assembly as it had made it clear that there should be no going back upon Lord Irwin's early Announcement, and hoped that those who accepted the offer would go to London, not as witnesses, but as India's ambassadors, to claim her rightful place as a free and equal partner of the Commonwealth.

Mr. Saldhana moved an amendment urging the acceptance of the conditions laid down by the Delhi leaders' manifesto to create a favourable atmosphere for the Conference. This was rejected, only three voting for it.

Mr. Ranganatha Mudaliar, ex-Minister, moved an amendment to delete the words 'to the satisfaction of all parties' and substitute the words 'to the satisfaction, as far as possible, of all parties, by holding a Round Table Conference as early as possible this year, with preponderant representation therein of the progressive elements of the country'. Mr. F. E. James, opposing the amendment, said that Europeans in India stood by the Viceroy's Announcement and were anxious to have the conference as early as possible. They could not accept the amendment because there was no definition of 'progressive elements'. Sir A. P. Patro, Chairman of the Madras Provincial Simon Committee, opposing the amendment said that Lord Irwin had made the scope of the conference clear in his last speech. He saw no reason why a distinction should be drawn between progressive and non-progressive elements.

Ultimately the Council carried unanimously Mr. Kesava Pillai's resolution welcoming the Viceroy's Pronouncement, with the addition of the words 'and hopes the Round Table Conference will be held this year'.

Dr. Subbarayan, Chief Minister, said that the ultimate responsibility for the solution of the Indian problem lay with the Parliament, whose authority was supreme. He declared that the Congressmen were fighting for a chimera when they said they were fighting for independence. He was glad that the House had an opportunity to express its appreciation of the Viceroy's work in England as India's ambassador.

The hon. Mr. A. Y. G. Campbell observed that it was fitting that the resolution was sponsored by Mr. Kesava Pillai who knew the growth of administrative institutions during the last quarter of a century. The Government, he said, would forward the report of the debate to the Government of India for information.

#### STATE LOANS TO INDUSTRIES

**30th. JANUARY.**—The Council passed to-day the Development Minister's Bill to further amend the State Aid to Industries Act of 1922. The Bill sought to amend the provisions of the existing Act, making it possible for loans being granted to any industry equal to the net value of its assets. This was further amended to the effect that a loan not exceeding Rs. 40,000 might be granted, if it be more than 50 per cent. of the value of the assets.

The Council next adjourned the third reading of the Bill to amend the *Local Boards Act*. Mrs. Muthulakshmi Reddy, Deputy President, introduced a Bill to prevent the dedication of women to Hindu temples in the presidency.

#### SUPPRESSION OF BUCKET SHOPS

**31st. JANUARY.**—The Council passed to-day Mr. F. E. James's Public Gaming Bill which aimed at the suppression of bucket shops throughout the presidency.

An amendment moved by the Maharaja of Pithapuram, making betting or wagering on a race horse an offence was rejected.

The Law Member opposed Mrs. Muthulakshmi Reddy's motion to refer to a select committee her Bill to prevent the dedication of women to Hindu temples, and moved that it be circulated for eliciting public opinion. The House agreed to the Law Member's motion.

#### SUPPRESSION OF BROTHELS

An interesting discussion then ensued on the Bill for the suppression of brothels and immoral traffic in the presidency, which was passed into law.

The House negatived Mrs. Muthulakshmi Reddy's amendment introducing a new clause providing for punishment with imprisonment extending to two years or a fine extending to Rs. 1,000, or both, to persons aiding, abetting or compelling prostitution. The Government opposed this amendment on the ground of practical difficulties. The Council next passed Mr. James's amendment providing for punishment extending to two months' imprisonment or a fine up to Rs. 1,000 to those frequenting any street or public place, either for prostitution or solicitation, as constituting a nuisance or offending public decency. The Council then adjourned till Feb. 25.

#### Budget for 1930—31.

**25th. FEBRUARY:**—The budget which was presented to-day to the council was a deficit budget to the extent of 14.65 lakhs. After presentation of the budget the

council adjourned till the 27th instant. The chief feature of the budget was that Rs. 5 lakhs had been provided in the next year's budget for anti-drink propaganda as against 4 lakhs granted for anti-drink propaganda in the current year.

The Finance Member in the course of his speech presenting the budget said :— "We propose to draw the excess of expenditure 143-65 lakhs from the accumulated balances which amount to 443.82 lakhs."

Explaining the financial situation to be faced, the Finance Member said, "of the two main sources of revenue, the land revenue is in future to remain stagnant and the excise revenue to be reduced by 27 lakhs are subject to serious attack and there is an imminent prospect of unavoidable addition to our expenditure. It may be urged that the Finance Member ought to be now tackling the problem of substituted revenue in order to provide for future. I would point out, however, that the responsibility is that of the Legislative Council for the one single reason if old established sources of revenue which are no innovation of the British administrators but date back in their main features to centuries of Muhammadan and Hindu rule can thus be placed in jeopardy. Is it conceivable that new forms of taxation which did not commend themselves to the Council would be able to survive the opposition which they would excite? Further, this council is approaching the end of its term and as a necessity is not yet upon us. It would serve little purpose, for it is not only to leave a legacy of responsibility, but to dictate to its successors how it is to be met. Lastly, even if my colleagues, or myself had absolute power of determining how lost revenue is eventually to be made good, the matter would demand most careful enquiry and examination for which material is not yet available. To deal with these problems will be our legacy to our successors' truly 'damnum est hereditas'. But we have no right to add to their burdens, or to ignore those responsibilities which in special sense is our own. We have been careful not to embarrass the future by commitments to liquidate which would place an impossible burden on it. We have, therefore, found it impossible to lose further revenue by a reduction of stamp duties, or court fees." Turning to capital and debt heads the Finance Member said that the revised estimate of the expenditure for current year is 104.11 lakhs. There will be balances in the hand of Rs.54 lakhs and we propose to borrow 100 lakhs from the Government of India. Concluding, he reviewed the financial history for the last five

#### GENERAL DISCUSSION OF BUDGET

27th, FEBRUARY :—General discussion of the budget took place to-day. About 15 members spoke. All of them congratulated the finance member on his budget and paid glowing tributes to the simplicity, sincerity and ability of Mr. Moir whose term of office was nearing its end. The way in which the Government was carrying on anti-drink propaganda was much criticised by most of the speakers. Mr. Saldhana said that Government should only aid such societies and associations who did anti-drink propaganda and Government themselves should not start such work. Dewan Bahadur Kesava Pillai challenged the Government to deny his statement that Government were only encouraging drink and not doing any temperance work. One member suggested a drastic cut in the ministers' salaries to make up the loss in the excise revenue.

Messrs. Abdul Razack and Abdul Haye voiced the feelings of the Muslims. Mr. Razack threatened Government that if they did not properly protect the interests of the Muslims they would join hands with Mr. Gandhi and start civil disobedience. Mr. Munuswami Pillai, the depressed class member and another put up a strong plea for the uplift of the depressed classes.

#### MALABAR TENANCY BILL

1st, MARCH :—By 51 votes against 2, the Council to-day accepted the Governor's amendment to the Malabar Tenancy Bill, re-committed to the Council, to omit the proviso in the clause relating to the provision of securities by the cultivating tenants.

The Janmi representatives objected to the amendment, although it was pointed out by the Revenue Member that the deletion of the clause was sought in their interests.

The Council also passed the *Andhra University Act (Amending) Bill*, introduced by the Chief Minister, which 'inter alia' provided for the constitution of a statutory finance committee to strengthen the financial administration of the Andhra University. The Council then adjourned till March 18.

### Voting on Budget Demands

*18th. MARCH* :—Voting on the budget demands for grants commenced to-day. After question time, the land revenue demand was taken up. An interesting discussion took place on a token cut motion, urging the need for giving the Legislature an opportunity to discuss the Economic Enquiry Committee's report relating to land revenue resettlements in certain districts on the east coast before the Government passed orders thereon.

Mr. A. Y. G. Campbell, Revenue Member, assured the House that it was the Government's intention to place the report with the views of the departmental experts thereon before the House before passing the final orders.

The motion was defeated by 29 votes against 35.

The Government then sustained their first defeat of the budget session when in the demand under 'Land Revenue' a token cut was effected by 32 votes against 28, the three Ministers remaining neutral.

During the debate, nonofficial speakers pleaded a thorough revision of the land revenue policy and the introduction of a satisfactory land revenue board code. The Council voted the entire land revenue demand minus Rs. 100 effected by the cut.

### PLEA FOR TOTAL PROHIBITION

*19th. MARCH* :—A strong plea for the introduction of total prohibition in two or three selected districts of the presidency was made by Mr. Muniswami Naidu when the debate on his cut motion in the excise demand was resumed today.

The Excise Minister replying repudiated the charge of insincerity brought against the Government in giving effect to the declared policy of total prohibition experiments tried in selected areas of the presidency and emphasised the value of propaganda and added that they were keen on doing their best to promote prohibition.

The cut motion was rejected and the entire excise demand voted.

The Council next passed a token cut without a division urging the reduction of the stamp duties and the court fees, despite the Law Member's observations that the present financial position did not permit such reduction.

### EXPLOITATION OF FORESTS

*20th. MARCH* :—By 10 votes against 31 the Council carried to-day a token cut in the demand under forests to raise a general discussion on the Government policy. The non-official Europeans who voted against Government en bloc called for a clear cut policy regarding the exploitation and conservation of forests in the light of the Royal Commission on Agriculture.

Sir Krishnan Nair replying maintained that the Government's forest policy was directed in the best interests of the province and the Royal Commission's recommendations were being considered. He said that the Government had no intention of competing with private enterprise and were closing down all saw mills.

### NOMINATIONS TO DISTRICT BOARDS

*24th. MARCH* :—In the Council to-day an attempt to censure the Chief Minister's policy on the matter of nominations to district boards was defeated when a token cut, brought forward by Mr. Uppi Sahib, was negatived by 40 against 17 votes.

Dr. Subbarayan, replying to criticisms, maintained that nominations were being made in accordance with the spirit of the Act. The interests of the minority communities were always borne in mind, and the Minister declared that there was no question of favouring one community at the expense of another.

### TEXT BOOKS AND LEAGUE OF NATIONS

*25th. MARCH* :—The need for increased provision for instruction in schools and colleges in the work and aims of the League of Nations was emphasised by means of a token cut in the education demand by Mr. F. E. James in the Council to-day.

The Chief Minister replying observed that it was not proposed to include lessons on the work of the League of Nations in the new syllabus which was overcrowded, but the director of public instruction would see how that the subject could be correlated with history and geography. He promised to consider the suggestion whether the text books used in Bengal on the subject could not be placed in the hands of the pupils. The Chief Minister stressed the importance of the work of the League, particularly its Labour Office, and said that it went a great way towards world peace.

## EMPLOYMENT OF WOMEN IN POLICE

The Council next passed the entire police budget without any cut. During the debate Dr. (Mrs.) Muthulakshmi, deputy president, pleaded for employment of women in the police. Replying, the Home Member quoted the opinion of the inspector-general who investigated the proposal that it was impracticable and Indian women might not take kindly to the arduous duties of the police.

## BRITISH MEDICAL COUNCIL'S ACTION

**26th. MARCH:**—After question-time to-day the demand under the Medical department was taken up. Mr. Shiva Rao, who was a member of the provincial Simon Committee, moved a token cut to discuss the serious situation created by the action of the executive committee of the General Medical Council of Great Britain in refusing to continue the recognition of Indian medical degrees and to consider the desirability of stopping all recruitment of medical men in the presidency by this Government till the action of the Medical Council was withdrawn.

The Minister of Public Health, replying, welcomed the opportunity afforded to discuss this question in the Council. He referred to the conference of Ministers held in Simla to consider the question. The idea was that if the British Medical Council refused to accept Indian degrees, the country should establish an All-India Medical Council. For this purpose it was under contemplation to introduce a Bill. Until then all that the Madras Government could do was to insist on the acceptance of the medical degrees of the Madras University by the British Medical Council and in case they refused to do so the Government would decide what further action was to be taken.

The motion was carried without a division.

## MOTION FOR BIRTH CONTROL CLINICS

**27th. MARCH:**—The establishment of birth-control clinics was advocated by several speakers in the Council during the debate on the token cut on the public health demand. Mr. A. B. Shetty, who initiated the discussion, emphasised the value of birth control as a preventive against over-population.

The Minister for Public Health, replying, drew attention to the differences of opinion among medical authorities on the subject. He added that the best method of birth-control was self-restraint. The motion was withdrawn.

## BAN ON GANDHI FILMS

**28th. MARCH:**—By 38 votes against 37 the Council carried Mr. Abdul Hameed Khan's adjournment motion against the ban imposed by the Madras Government on exhibiting films depicting Mahatma Gandhi's march. The supporters of the motion characterized the Government's action as an attempt to stifle the movement.

Mr. Ranganatha Mudaliar, an ex-Minister, said that if the Round Table Conference failed many more people in the country would act as Mahatma Gandhi did.

Sir Mahomed Usman, replying, pointed out that the films were passed by the Board of Film Censors Bombay, but were uncertified by the Bombay and C. P. Governments as they were considered to be an incitement for the people to break the salt laws. Sir Mahomed asked the House whether any responsible government alive to its duty in regard to the maintenance of law and order could permit the exhibition of such films.

**29th. MARCH:**—The Council concluded the voting on budget demands to-day and adjourned till the 1st. April, when supplementary demands were moved, after which the Council was *prorogued* by a message from the Governor.

## 4th. Reformed Council—18 &amp; 19 November 1930.

All galleries were crowded on the 18th. November when the Governor opened the fourth reformed legislature of Madras with an address.

Referring to the Round Table Conference, the Governor in the course of his address said : 'Although none can foretell what the final issue will be, none should entertain any idea of failure. Personally I feel quite certain that if all would combine in an earnest endeavour to find a solution of the difficulties which are admittedly present, those difficulties need not be insuperable. It is all the more regrettable, therefore, that a certain section which was only a small fraction of the millions of population of India, but is organised, has not only held aloof from these delibera-

tions, but adopted a line of action which is far from furthering the cause its adherents profess to have at heart and is much more calculated to injure it. The policy which they advocate is bound to lead to results which they themselves deprecate and indeed such results have been seen in some parts of India though I am glad to say not to so great an extent in this province as in some others. There have been acts of civil disobedience by misguided people and I would wish now to thank all those, officials and non-officials, who assisted the Government in their opposition to the challenge thrown out to them. It was a challenge no Government could refuse to take up and I say the Government could and will not hesitate to use all resources they think necessary to oppose the movement which, if it is successful, would speedily result in chaos and anarchy, however peaceful the intentions of the originators might have been.

Continuing His Excellency referred to the most distressing feature of an all-India concern which had a direct influence on the affairs of this presidency, namely, the slump in trade and the deepening of the economic depression which he attributed to the world-wide trade depression and general feeling of uncertainty caused by the civil disobedience movement. The economic depression had not only affected the people directly, but also had an indirect effect owing to the diminution of Government revenue. He observed the House would realise the position when he said that the five major heads, namely, land revenue, excise, stamps, forests, and registration, showed a fall for the first six months' current financial year of over 37 lakhs.

Referring to the recent elections His Excellency said:

'There is one aspect in respect of which Madras has not advanced politically so far as in other directions. Political opinion has not yet crystallised itself into definite parties each of which has its own adherents who belong to it on principle. There are a large number of independent candidates owing allegiance to neither party but ready to join either party after election. This I consider most unsound and, so far as I am concerned, I shall not in computing the figures after election include in a party anyone who has not been definitely returned on that party's ticket, nor, under normal circumstances should I consider any such member for the position of a Minister. I realise fully there are sectional feelings which create a certain amount of difficulty, but I cannot bring myself to believe that the difficulty cannot be surmounted.'

#### LATHI CHARGES.

The question time was made lively by a number of supplementary questions regarding *lathi* charges in Cannanore jail in September last, asking how many of the victims of the *lathi* charge were political prisoners and also regarding the number of lady Satyagrahis who were in jail. The Law Member referring to the *lathi* charge in question said that there was no discrimination made between the political and the non-political prisoners and that information regarding the number of lady Satyagrahis convicted had been called for.

#### ADJOURNMENT MOTIONS

After question time Mr. Venkatachalam Chetty wanted the business of the House to be adjourned to discuss a matter of urgent public importance, namely, the use of force by the police in recent cases in dealing with the civil disobedience movement.

19th. NOVEMBER:—After question-time the president ruled out two motions for adjournment, one to discuss the relief measures in connection with the recent flood havoc in Trichinopoly and Tanjore districts and another by Mr. Sami Venkatachalam Chetty moved yesterday to discuss the refusal of the Madras jail authorities to give raw rice and butter-milk to 'C' class political prisoners.

Mr. Chetty *inter alia* narrated the events in April when people assembled in political gatherings were '*lathi* charged and chased.' He condemned the methods used by the police, declaring that the Government had abdicated their functions in favour of the police.

Sir Mahomed Usman, Home Member, strongly defended the police conduct. They had *lathi* charged crowds with *lathi* only after asking them to disperse. It was wrong to say that the police chased all indiscriminately. The methods adopted by the police were absolutely civilised.

Mr. H. F. P. Pearson, leader of the European group, opposed the motion, opining that the debate was calculated to stir the embers of discontent in the country.

The Council then adjourned to January 1931.

# The U. P. Legislative Council

LUCKNOW—19th. FEB. TO 30th. MARCH 1930.

## DISTRICT BOARD AMENDMENT BILL

The Budget Session of the U. P. Legislative Council commenced at Lucknow on the 19th. February 1930. After formal business the Council passed into law the District Board Amendment Bill which was introduced by Nawab Muhammad Yusuf, Minister for Local Self-Government long ago. A number of amendments proposed by Khan Bahadur Hafiz Hidayat Hussain to clause 13 dealing with the powers of the chairman and the secretary of a district board to make appointments and dismissal were accepted by the Minister. These amendments gave a right of appeal to the district board chairman from the decision of the secretary and to the local Government from the decision of the chairman. Another amendment moved by Rai Bahadur Lala Jagdish Prasad and accepted by the Minister provided that the power to appoint and dismiss the engineer and the tax officer should vest in the district board and gave these officers a right of appeal to the local Government in case of dismissal. Just as the Bill was passed into law the Governor arrived and addressed the Council.

## THE GOVERNOR'S ADDRESS

His Excellency Sir Malcolm Hailey referred to the effect of the recent unfavourable harvest on the provincial finances and the measures taken by the Government during the last two years to all agriculturists in their struggle against nature. The Government felt that large sacrifices made in the revenue remissions and the widespread issue of Takavi loans were money well spent, since the measures produced an impression among the cultivating classes that the administration had a genuine interest in their welfare. Such an impression, His Excellency proceeded, was of the greatest value, since, in India, as at present constituted, moral and political progress would be gravely impeded if the great mass of the population lost faith in the State as an agency for good. India's rural population was patient, kindly, long enduring, and essentially non-criminal, respectful of peace and order, and clinging with the deep-rooted affection to family and religious life. Given a quickening mind, wider views and greater readiness to take joint action in promoting common interest, there was a fine material to build a new sense of citizenship. Yet, the speaker remarked that there were those at work who seemed bent upon destroying some of the very qualities needed for building that sense.

Proceeding, His Excellency dwelt on all-India topics. He referred to the Viceroy's November announcement, the Lahore Congress resolutions and the enforced absence of Swarajists from the legislatures. He was certain that the Council could not but appreciate the Viceroy's effort to provide, by means of the London Conference, an opportunity to all sides of Indian opinion for a free discussion with the Imperial Government of the problems of Indian political development. Such an opportunity should neither be slighted nor wasted. There were those who might not see eye to eye with others regarding the exact method by which the objective was to be approached, just as there were among the Indian publicmen differences regarding the guarantees which the various classes might claim for the promotion and protection of their interests.

He continued: "But take for a moment the position of the extreme wing which succeeded in dominating the Congress at Lahore. One may well assume that the people at large have been little moved by the claim of independence. The country has heard these millennial fantasies before and knows what value to place on them. If practical thinkers allow their minds to dwell on the matter at all, they must regret the mere declaration of an ideal so destructive of the growing sense of Indian nationalism. No one who knows the masses of India, could believe for an instant, that the Legislative Assembly, whatever garb of constitutional authority it might

assume, would make the same appeal either to British India or to Indian States or constituted so strong a unifying and elevating force as allegiance to the King-Emperor. But, if there is something of an air of farce about the statement of this objective, there is no doubt, on the other hand, that very large numbers of people in this province, alike among landowners, merchants and professional and public men, feel a grave apprehension at the announcement. Here, we are not in the realm of far-off fancies, but are concerned with projects of which experience enables us to foretell the inevitable consequences. When we are promised civil disobedience, we remember Chauri Chaura, and all the aftermath of dacoity and lawlessness which followed the previous preaching of the same species of doctrine.

"When we hear of the campaign against payment of taxes, we need all our sense of humour to appreciate the proposal that revenue should not be paid to the State but be credited to the Congress leaders for national purposes. We do not need be landlords to appreciate the issue of a no-rent campaign. If one contractual relation is to be broken, so will others, and creditors must sacrifice their debts, and merchants their lawful demands. If Independence is to be achieved by those happy means, then one may fancy that the average inhabitant of these provinces might well pray that its elected representatives would urge the administration to do its best to stave off that blessed day. He might even feel that it would not be wholly amiss if the Government were, on this occasion, to furnish some proof of that demonic character of which he has been told so much."

Proceeding the Governor said that it was out of place to utter threats of repression, but if the extreme wing started civil disobedience the Government would use every legal means to defeat it, and in the event of legal resources proving insufficient the Government hope it would receive the support of the public and the Council in securing such fresh legal provision as was required. The Government could not stand aloof if a small section did actually attempt to gain sovereignty for itself by shattering the existing social order. The Government would appeal to the public to aid it to maintain law and order. It would appeal to the landowners to see that there was nothing in their own relations with the tenants which would afford an excuse for those who were seeking grounds for setting tenants against landowners.

There was another sphere where the State must appeal for the offices of others. Everyday, attempts were being made to invade educational institutions and to interest the youth of the country with vague theories which could only be described as communistic. No reasonable man would tell the young men of India that they had no concern in the destiny of their motherland, but no parent could look with equanimity at the sight of bands of students coming under the influence of revolutionary teachings. The Government hoped that parents would realise that Government could not consider such students fit for Government employment, as they had been proved to be active in associations of a character subversive of law and order.

Concluding, His Excellency said that the dangers he had spoken of were not actually impending. He hoped that sober opinion might yet convince the party which, however potent for evil, was yet only a small minority in the country, that it could not be allowed to imperil the domestic peace or disturb India's ordered progress.

#### U. P. PREVENTION OF ADULTERATION (AMENDMENT) BILL

After the Governor's speech Nawab Muhammad Yusuf presented the report of the select committee on the U. P. Prevention of Adulteration (Amendment) Bill and announced his intention to withdraw the Bill in accordance with the wish of the select committee. He admitted that the Bill was hurriedly drafted by Sir Ivo Elliott before he left India and it only dealt with one point, namely, protection to purchasers of ghee against being deceived into purchasing impure stuff. It was the unanimous opinion of the select committee when a large number of amendments were moved by the Director of Public Health that this Bill should be withdrawn and that a new Bill should be brought forward in order that it might be more effective and comprehensive.

Nawab Muhammad Yusuf next introduced the new Prevention of Adulteration (Amendment) Bill after which the council adjourned.

#### TOWN AREAS ACT AMENDMENT BILL

20th. FEBRUARY :—Non-official business was transacted at today's meeting of the Council. Mr. Tufail Ahmad moved that his Town Areas Act Amendment Bill be



referred to a select committee consisting of 10 members whose names he mentioned. He said the object of the Bill was to bring the notified areas which were now administered by rules framed by Government within the purview of the Town Areas Act recently passed by the Council. He would leave it to the select committee to recommend which notified areas could be converted into municipalities and which into town areas.

Khan Bahadur Hafiz Hidayat Husain moved that the Bill be circulated for eliciting opinion on the ground that a select committee could not be legitimately asked to determine which notified areas were fit to be converted into municipalities.

Rai Bahadur Lala Jagdish Prasad said it would be a retrograde step to reduce the notified areas to the position of town areas.

Nawab Yusuf, Minister for Local Self-Government, supporting the amendment and opposing the motion for its reference to a select committee said the notified areas were now governed according to the rules framed by Government and it would be a novel thing to transform them into town areas which had very limited powers of taxation. The Bill as it stood was certainly reactionary.

#### RESOLUTION ON SETTLEMENT REPORTS

*22nd. FEBRUARY* :—The only business transacted to-day was the consideration of two resolutions on settlement reports which were both withdrawn after discussion by the mover, Khan Bahadur Maulvi Fasihuddin. They were in the following terms :—(1) That this Council recommends to the Government to be pleased to reduce the land revenue of Pargana Salempur, tahsil Dataganj, district Budaina, from Rs. 2,17,000 to Rs. 2,00,000.

(2) That this Council recommends to the Government to be pleased to reduce the land revenue of district Lucknow from Rs. 12,22,000 to Rs. 11,92,000.

Mr. Mehrotra objected to the latter resolution being withdrawn but the House by 34 against 17 votes permitted the mover to withdraw it.

Mr. Mehrotra next moved the following resolution which was ruled out of order by the President :—That this Council strongly recommends to His Excellency the Governor in Council to reduce the percentage of revenue assessment in the mahals where assessment reports have been submitted by the settlement officers to 33 per cent. as the maximum.

Mr. Mehrotra expressed his willingness to delete the latter portion relating to percentage but the Finance Member's objection was upheld by the President. The Council then adjourned till the 24th.

#### Budget for 1930-31

*24th. FEBRUARY* :—At to-day's meeting of the Council, Sir George Lambert, the Finance Member, presented the budget for 1930-31. The opening balance for the the budget year is estimated at Rs. 35,30,500 and the income at Rs. 1,55,155,000 made up of Rs. 1,28,356,000 from revenue and Rs. 26,789,000 from debt head receipts. The budget expenditure is Rs. 1,27,226,000 charged to revenue, and Rs. 26,210,600 under debt-head disbursements. The budget, which thus shows a small revenue surplus, provides a closing balance of Rs. 52½ lakhs. The estimated revenue for 1929-30 is shown at Rs. 1,30,741,000 and the charges against revenue at Rs. 1,23,638,000. The corresponding revised figures are Rs. 1,31,861,000 and Rs. 1,23,718,000. The budget revenue estimate is thus nearly 35 lakhs less than the revised of the current year, and the budget expenditure (charged to revenue) is 35 lakhs higher than the current year's revised estimate.

#### DISCUSSION OF BUDGET

*6th. MARCH* :—The Budget discussion commenced to-day. Khan Bahadur Hafiz Hidayat Husain who initiated the discussion characterized the budget as featureless and proceeded to thank the Finance Member for his very liberal policy of remissions and suspensions. He assured Sir George Lambert of the support of the House and the entire province in his beneficent and generous attitude towards the tenantry.

Dealing with the debt position, the speaker, amidst laughter, likened the life of the province to the life of a typical Nawab living in heavy debt and paying high interest from his limited income, who would eventually collapse, and appealed for more caution in the administration of the finances. The speaker next dwelt upon the hardship of zamindars who sometimes had to remit or suspend to the tenants amounts far higher than what the Government had conceded to them and requested the Government to take this fact into consideration.

Hafiz Hidayat Husain urged among other things the industrial development of the province, and more money being provided for medical relief and public health to rural areas. Lastly, he deplored the increase in the jail population and asked the Ministers to put forward at every budget session a definite programme of their activities during the coming year showing what benefits they meant to confer on the people and in what manner they would be able to deserve the support of the Council.

Babu Narain Prasad Nigam in his maiden speech said that he could not endorse the Finance Member's remark that the financial position of the province "was sound enough." He pointed out that the total deficit since 1921 had mounted up to Rs. 3,63,00,000 which revealed a state of things which could not be looked upon with equanimity.

The others who participated in to-day's debate were Babu Mukandi Lal, Nawab Jamshed Ali Khan, Rai Bahadur Babu Vikramajit Singh, Babu Shyam Lal, Rai Sahib Thakur Bikram Singh, Pandit Iqbal Narain Gurtu, Chaudhari Mangat Singh, Nawabzada Liaquat Ali Khan, Sayid Tufail Akmal and Mr. Chintamani.

Pandit Iqbal Narain Gurtu in an excellent speech characterized the budget as a cheerless and humdrum budget which was absolutely featureless. He pointed out that only 23 per cent of the additional expenditure of Rs. 2,43,00,000 incurred since the remission of the provincial contribution was spent on beneficent departments and the rest on the reserved departments.

After dealing with the debt position at length, Mr. Gurtu urged that the expenditure on the education of girls should be separately shown in the budget apart from general expenditure on education. The expenditure on primary education for the budget year was less than that for the current year by two lakhs and there was absolutely no justification for it.

Nawabzada Liaquat Ali Khan sounded a note of warning to the Government to take care to see that their new commercial venture in regard to the hydro-electric scheme did not prove a failure and urged that it was the duty of the State to successfully tackle the problem of unemployment in the province.

Mr. Chintamani said that he did not see anything in the budget on which to congratulate the Finance Member but there was much room for sympathy. He had every reason to complain that no serious, sustained and constructive effort had been made to reconstruct the provincial financial system on a broad basis which would enable a progressive programme to be financed from year to year without a stop.

Finally, Mr. Chintamani referred to the Governor's recent appeal to "saner" opinion in the province to rally to the side of law and order and criticised that the budget was no. of a nature which would lend support to the sober section to carry on a propaganda with success. The debate was at this stage adjourned.

7th. MARCH:—Resuming the debate to-day, Nawab Muhammad Yusuf, Minister for Local Self-Government, said that he was particularly grateful to Mr. Chintamani, leader of the Opposition, for his encouraging, unstinted and frank acknowledgment of the services rendered by the Public Health department during the Kumbh Mela at Allahabad. Replying to the criticism that the Ministers had not placed before the Council their programmes for the budget year, Nawab Muhammad Yusuf said that there was no dearth of programmes on the transferred side but the question was one of funds.

In regard to Pandit Venkatesh Narain Tiwary's suggestion for the appointment of a committee to investigate municipal finances, the Minister said that the committee already appointed in connection with the district board's finances had not yet submitted their report and the Government did not know what fresh expenditure would be necessary as a result of their recommendations. The suggestion for another committee was therefore premature. The Minister next admitted that the major portion of the Government revenues was derived from rural areas and if there was no adequate return by way of services it was due to stringency and limitation of the Government finances. The Government had schemes ready to introduce time scale salaries in the Registration department and to improve the pay of clerks but again funds for the purpose were not available.

Maharaj Kumar Major Mahijit Singh, Minister for Agriculture and Excise, said that he welcomed the criticism of his departments and added that every suggestion would be carefully examined.

Raja Bahadur *Kushal Pal Singh*, Minister of Education and Industries, said that all suggestions made in regard to his departments would be carefully examined and considered. (Mr. Chintamani.—Hear, hear). As regards the question of unemployment he awaited the recommendations of the Education Secretary and Director of Public Instruction on the proposals of the committee to establish employment bureaux at Lucknow, Allahabad, Cawnpore and Agra, and said that the Government intended to take timely action in the matter. As regards primary education the Minister stated that there would be no education in the present programmes of district boards. Some boards had large unspent balances and the Government intended their compulsory utilization by the boards concerned. The Minister, in conclusion, added that if the provision of expenditure for education and industries was not more than what it was it was as much a matter of disappointment to him as to the Council.

The *Nawab Sahib of Chhatari* Home Member said that his position was not very happy as expenditure on all his departments was severely criticised, but his experience as a member of the Government for seven years had taught him that there was nothing so healthy for administration as nonofficial criticism.

Dealing with the proposed rearmament of the police force, the Home Member said that the present muskets had been purchased second hand from the army nearly 30 years ago. They had been condemned as unfit and useless for emergent occasions by the High Court in their judgment in the Chauri Chaura case. A departmental committee had since gone into the matter and condemned 410 muskets out of 2,188 as totally beyond repair and 1,148 as useful if repaired at once. The Government had also been informed that ammunition for these muskets would no longer be manufactured and it was why they thought that rearmament was urgently required even in such a lean year.

Turning to increased jail expenditure, the Home Member pointed out that it was due to increase in the jail population. The decrease in the Forest budget was due to the fact that the current budget contained certain recoveries which was non-recurring. He refuted the suggestion that the notification regarding criminals of the Gujar community was a stigma upon that community. Finally, the Home Member said that the Government of India's instructions regarding the classification of prisoners would be carried out by the local Government.

*Sir George Lambert*, Finance Member, referring to Mr. Chintamani's criticism that he had not this year consulted the Opposition in regard to the arrangement of demands for presentation, said that he had given no such undertaking to the Council in 1928. He had then merely stated that any proposal having substantial agreement among the various parties would be considered by him. This invitation to party leaders to let him know their wishes even now stood where it was, but this year he had received no indication of it from them.

As regards the suggestion that the finance committee might advise him as to the order of expenditure, he said that it could not be accepted as the apportionment of money was a question of policy and not of finance.

He next acknowledged the generous remarks about him and the Finance department and felt quite sure that these handsome tributes would considerably encourage the staff. The Government were proud of having behind them the unstinted approval of the Council in their liberal policy of remissions and suspensions of land revenue and the distribution of *taqavi*. He added that he should be less responsive to the opinion of the Council if he did not regard their approval with gratification. He hoped he was not merely expressing his personal view in regarding land revenue remissions as the necessary accompaniment of the whole system of assessment. Otherwise, he could not imagine why there should be such precise rules on the subject of remissions and suspensions.

Proceeding *Sir George Lambert* said there was a hardy annual regarding the division of expenditure between the reserved and transferred departments. Mr. Gurtu had adopted his own method of calculating and Mr. Blunt had said that the figures were right. But he thought their application was entirely wrong. (Laughter) Provincial contribution was responsible for annual deficits and its remission only enabled the Government to restore balanced expenditure. It did not represent new income and Mr. Gurtu's charge that the Government received the crores and spent only 73 lakhs on the nation-building departments therefore broke down. The Finance Member contended that the Sarda Canal and the Hydro-Electric scheme were beneficent subjects though they would be styled as such only if they were transferred to the control of ministers. Seventy-five per cent in 1928-29 and 80 per cent. in 1929-30 of the new expenditure since he became Finance Member went to

the transferred departments. He quoted figures to show that the total expenditure under Education, Medical, Public Health, Agriculture and Industries had gone up from Rs. 1,81,00,000 in 1920-21 to Rs. 3,13,00,000 in 1930-31 and added it was only on figures like these that they could judge fairly the proportion of expenditure on the transferred departments. He said that the reserved subjects were like the lines of a railway on which coaching traffic ran and they had to maintain them with a certain degree of efficiency. He wondered what Mr. Chintamani would do to reconstruct the budget on a new basis and to leave more money for expenditure if he were made Finance Minister. Continuing the Finance Member said that settlements got more lightly on the agricultural population to-day than before and they were the only means for the Government to get new revenue. Under the last Settlement Act the Government let a good deal of recurring revenue go away. Without new taxation, though he proposed none, the income of the Government would remain singularly inelastic. The Council then adjourned.

#### LOAN PROGRAMME OF GOVERNMENT

*8th. MARCH* :—The loan programme of the United Provinces Government, as contained in the Budget for 1930-31, came in for strong criticism at to-day's meeting of the Council. After question time. Sir George Lambert, the Finance Member, moved the following resolution :—

That this Council recommends to the Government.

(A) Continuance of the undertaking of the following programmes of works and the meeting of the cost of their construction from loan funds.

(1) The programme of civil court buildings drawn up by the High Court of Judicature and the Chief Court of Oudh. (2) The programme of revenue building drawn up by the Board of Revenue. (3) The programme of police buildings, already in hand. (4) Construction of a maternity hospital at Lucknow and a Central Jail at Meerut and

(B) Continuation of the existing capital programmes of canal construction, the (Sarda) Hydro-Electric projects, road reconstruction, advances to local bodies and cultivators' pension commutations provided that the minimum limit of the cost of building to be constructed from loan funds shall ordinarily not be less than Rs. 50,000 except in the case of the programme of police buildings where the minimum limit shall not be less than Rs. 20,000.

*Sir George Lambert*, in moving the resolution, explained that the resolution proposed to lay down the general principle which should govern any work to be undertaken from loan funds. A similar resolution was placed before the Council last year and adopted by the House. The main point in to-day's resolution which required defence was in regard to the policy of borrowing money for unproductive purposes. The Council had accepted that policy in years gone by, in regard to the road reconstruction and police buildings. Last year, the Council further approved of that policy and extended it to expenditure on judicial and revenue buildings and to the construction of the Lucknow maternity hospital and the Meerut Central Jail. The Council had every right to change its opinion this year but, for one, was convinced that the reasons in favour of the general policy underlying the loan programme was stronger than ever to-day. The province was, at the present moment, less able to finance urgent building requirements from revenue resources than it was at this time last year and if Government were to keep its beneficial services at the present level it must attack this building programme from loan funds.

Proceeding, *Sir George* said that he was aware that great stress would be laid on the debt position of the province. By the end of current year the province should have spent about Rs. 238 lakhs on unproductive schemes in the following manner :

Roads 152 lakhs ; police buildings 62 lakhs ; agriculture college 3 lakhs ; the Council House 1½ lakhs ; Ghaziuddin Hyder canal 5½ lakhs ; revenue and judicial buildings 2 lakhs.

During the budget year, Government proposed to spend half a crore more on these unproductive schemes. The total dead weight debt would thus amount to 286 lakhs at the end of 1930-31, which would cost about 17 lakhs in debt charges annually. If all programmes were to be carried out after 1.30.31, it would require about 186 lakhs to complete them. The total dead weight debt would then amount to 472 lakhs imposing an annual burden of about 27 lakhs in the shape of debt charges. Proceeding, *Sir George* explained why he had cut down the minimum limit for police buildings to Rs. 20,000. This was due to the fact that most of the thanas,

which were an integral part of the police building schemes, would cost much less than half a lakh.

Pandit *Iqbal Narain Gurtu* moved an amendment to the effect that loan funds should be utilised only for productive or for quasi-commercial or industrial works which would cost not less than one lakh and that in the case of urgent unproductive works the minimum cost should be five lakhs. Pandit Gurtu was strongly of opinion that for buildings costing less than one lakh Government should find the money from its revenues or do without them. Raja *Jagannath Baksh Sing* moved another amendment recommending that minimum cost of police buildings to be financed from loan funds should be Rs. 25,000.

Mr. C. Y. *Chintamani*, supporting Pandit Gurtu's amendment, criticised Government, who had agreed last year to set the minimum, even for police buildings, at half a lakh, for changing its front to-day. After prolonged debate the Council rejected Pandit Gurtu's amendment but carried Raja Jagannath Baksh's without division. The resolution, as amended, was carried by 39 against 14 votes. The Council then adjourned till March 17.

### Voting on Budget Demands

*17th. MARCH:*—The first group of budget demands including those under public health, land revenue, stamps and famine relief came up for discussion before the Council to-day. The only interesting debate to-day centred round the motion for omission of the item concerning appointment of a whole-time deputy public analyst on Rs. 900-1,500 per month and an assistant for him in addition.

Mr. M. P. Merhotra, who proposed the reduction, wanted to know why if hitherto the work of the public analyst could be done by a part time officer at a small cost it was necessary now to appoint two highly salaried officers to carry out the work. The Minister opposing the reduction motion pointed out that the public analyst had to analyse over three thousand samples in 1929 only. No part time officer could cope with that amount of work. The motion was rejected.

### DEMAND UNDER PUBLIC HEALTH

In presenting a demand for Rs. 22,89,502 under the head of Public Health, Nawab Mahomed Yusuf, Minister for Local Self-Government, reviewed the activities of the department during the calendar year 1929. He said that the chief plank in the administration of the Public Health Department was the provision of a district health service.

*18th. MARCH:*—To-day the Council concluded its discussion of the Public Health demand and voted the full amount asked for less Rs. 11. The Council having adopted two motions for token reductions aggregating to that amount.

The first motion urged reduction of the demand by one rupee and raised the question of the inadequacy of work done in rural areas by public health officers and their staff. Thakur Hanuman Singh, the mover, detailed the distressing sanitary conditions of the villages and regretted that district health officers seldom visited outlying places in districts although provided with facilities for the purpose.

Nawab Mahomed Yusuf, Minister for Local Self-Government, admitted that much remained to be done in the matter of improving public health in rural areas. He added that an extension of the activities of the department was dependent upon the availability of more funds. The reduction motion was adopted without a division.

Pandit V. N. Tewary moved a token reduction to ascertain if Government had any scheme to make inoculation against cholera and plague compulsory.

Nawab Mohammad Yusuf, Minister, replying, said that the necessity and importance of making cholera and plague inoculations compulsory was becoming clearer and clearer every day but Government could not march too fast with legislations on the subject without public support behind it.

Mr. Hafiz Hidayat Hussain moved a token cut stressing the desirability of reconstituting the Board of Public Health by introducing an elective element in it. The mover wanted district and municipal boards to elect some representatives of theirs to serve on the Board.

Nawab Mohammad Yusuf, opposing the motion, pointed out that the Board at present contained nine non-official members against six officials.

Sheikh Abdullah moved for a reduction of the demand by Rs. 10 and criticised the work of the engineering section of the Public Health Department. He said that

the attitude of the Superintending Engineer, instead of being helpful to local bodies, was very unsympathetic and autocratic. Mr. Chintamani, supporting the motion, said he had occasion to know of the spirit and temper of the Superintending Engineer from his correspondence with the Allahabad and Agra Municipal Boards. He thought he would not be guilty of exaggerating in describing this spirit and temper as one long sustained and unending "Hymn of Hate" of local bodies.

Nawab Yusuf, Minister, said that the Superintending Engineer had to discharge his duties impartially and he could not afford to show too much sympathy to any particular local body. The reduction motion was put and carried without a division being challenged. The Council then adjourned.

#### DEMAND UNDER FOREST

*19th. MARCH* :—The Council to-day voted the forest demand in its entirety, most of the motions for reduction having been withdrawn after discussion. The only motion on which the House divided was made by Mr. C. Y. Chintamani and it was for a lump reduction of Rs. 50,000 from the total demand. The motion was negatived by 52 against 18 votes.

#### MEDICAL DEMAND

The medical demand was under discussion when the House adjourned. The House carried unanimously a token reduction of one rupee moved by Pandit Iqbal Narayan Gurtu who urged that an Indian should be appointed to the office of the inspector-general of civil hospitals in succession to Col. Sprawson who was proceeding to Madras as surgeon-general.

*20th. MARCH* :—A token cut of Rs. 10 moved by Mr. C. Y. Chintamani was carried by the Council and this raised the question of control exercised by the Government of India over the appointment of the inspector-general of civil hospitals.

Only 24 out of 75 motions were discussed by the Council before the guillotine was applied by the President at the appointed hour. The demand with a reduction of Rs. 12 as carried by the Council was then voted.

#### DEMAND UNDER ADMINISTRATION OF JUSTICE

*21st. MARCH* :—The demand under administration of justice for Rs. 6,579,100 was voted by the Council today and two token reductions were carried. The first of them was moved by Mr. Mukandi Lal urging that Kumaon should be completely brought under the civil jurisdiction of the High Court. The second token reduction raised an issue of very great public importance and the various parties joined hands and inflicted a severe defeat on the Government. Pandit Bhagwat Narayan Bhargava who moved this token cut urged that no posts of district and sessions judges should be reserved for the members of the Indian Civil Service and all the thirty-two posts of judges in the provinces should be filled by recruitment from the provincial service and the bar.

#### DEMAND UNDER EDUCATION

*22nd. MARCH* :—The Council discussed to day the budget demand under the head Education. Moving for a grant of Rs. 1,97,50,000 Raja Bahadur Kushalpal Singh, Education Minister, emphasized the two special features of the Government's education policy. The first of them was an endeavour to make education in rural areas bear a close relationship to the daily lives of the people. With this aim in view the Government were extending, as rapidly as possible, a scheme for the introduction of the teaching of agriculture in vernacular middle schools.

The first cut was moved by Pandit I. N. Gurtu who urged that Government should take a keener interest than they had hitherto taken in the spread of girls' education in these provinces.

Mr. A. H. Mackenzie, Director of Public Instruction, assured the Council that the Government and the Education Department regarded the expansion of girls' education as the most vital need of education to-day. He would not accept it as correct that the United Provinces was behind the other provinces in the matter of girls' education. This province spent over 17 per cent. of its total revenue on education which was the highest figure for India. Over 12 per cent. of the total educational expenditure was spent on girls' education and the United Provinces figures was the third in this respect in the All-India list. Between 1917 and 1927 there had been an increase of 46 per cent. in the number of pupils in girls' schools and the United Provinces was ahead of all other provinces in this matter.

Pandit Gurtu's motion was adopted without opposition. Another token cut motion was similarly adopted which urged the need of the Government paying greater attention to the promotion of adult education in the Provinces.

#### DEMAND UNDER INDUSTRIES

*24th. MARCH:*—Moving the grant of the demand under Industries for Rs. 14,75,688 to-day, Raja Bahadur Kushalpal Singh, Minister of Industries, said that the expenditure on industries in the year 1930-31 was the highest yet attained and he liked to tell those who frequently attacked the Government for neglecting and starving the department that the United Provinces spent on this department more than any other province. The Minister added that he liked publicly to acknowledge the excellent work done by Mr. S. P. Shah and Mr. Donaldson, Director and Deputy Secretary of Industries, respectively, whose connection with the department was about to cease. Mr. Shah had effected many improvements in organization and had drawn up plans for the future. It was a matter for regret that the department would lose his wide knowledge of the subject of industries and commerce. Mr. Donaldson, the Raja Bahadur added, had handled many industrial problems in a matter that compelled his admiration.

The question of the appointment of a successor to the present Director of Industries, Mr. S. P. Shah was next raised by Pandit Bhagwat Narayan Bhargava by a token cut of one rupee. He wanted a definite assurance that the rumour that a European would be appointed to the post was baseless and that an Indian would succeed Mr. Shah.

Raja Bahadur Kushalpal Singh, Minister, denied that any sort of pressure was being brought on Government to appoint a European and said that the rumour to that effect was entirely incorrect. He promised that the Government would take into consideration all the views expressed in the House in making the appointment. The motion was withdrawn.

*Nawabzada Liaquat Ali Khan* moved a token reduction of Re. 1 with the object of expressing the dissatisfaction of the House with the Government policy in selecting the Principal of the Technological Institute, Cawnpore, without advertising the post in India. Through this act of the Government, the speaker pointed out, Indians with suitable qualifications had been deprived of the opportunity to offer themselves as candidates for the post.

The issue being dissatisfaction with the manner in which the present Principal had been appointed, the motion was carried by the house by 50 against 29 votes.

An utterly unconstitutional act of the Government was next brought to light by Mr. Chintamani, leader of the Nationalist Party. To give effect to a so-called promise held out to Mr. Duke, oil expert in the Technological Institute, a sum of Rs. 18,726, was budgetted for and Mr. Chintamani moved the omission of this item. Moving the omission of this demand Mr. Chintamani wanted to know if there were any cases in which Indian officers had been granted pay and allowances with retrospective effect in a similar manner and whether this officer had himself asked for the overseas pay. The official apologia was far from convincing.

Mr. Donaldson, Deputy Secretary for Industries, and the Home Member and the Chief Secretary spoke for the Government, while Raja Bahadur Kushalpal Singh, Minister of Industries, maintained silence till after the mover had exercised his right of reply. The defence put forward by the Government for the extraordinary and unusual concession sought to be extended to Mr. Duke was that they had definitely promised him increased pay and overseas allowance in 1925, when the Nawab of Chhatari was Minister, that the proposals were submitted to the Secretary of State in 1926 when Kumar Rajendra Singh took charge and they were ultimately put up before the Finance Committee in January 1929.

There were two amendments to Mr. Chintamani's motion. Rai Bahadur Lala Mathura Prasad Mehrotra moved that the amount be reduced by Rs. 4,126 so that the officer could draw during next year a special allowance of Rs. 300 per mensem and have nothing by way of retrospective effect. The other amendment moved by Babu Jia Ram Saxena sought to reduce the amount by Rs. 18,176.

Mr. Chintamani, replying, protested against the Minister's silence throughout the debate and said that the Government had from the first to the last acted in a completely unconstitutional manner and they had no business to make any definite promise without obtaining the sanction of the Council for the expenditure. Though

the strength of the arguments was wholly on the side of the Opposition, the Government as usual carried the division, and defeated Mr. Mehrotra's amendment. by 52 against 26 votes, while the other amendment and the original motion were rejected without division.

**25th. MARCH :—**On this day Khan Bahadur Maulvi Fasihuddin moved a token reduction of one rupee under the Technological Institute, add wanted to know from the Government what substantial achievements this institute had to its credit in research in the leather, sugar and oil sections. He urged that it behoved the Council to consider whether the taxpayer's money spent on this institute had brought its full return. No kind of education in industries was of any avail unless practical workshop training was given to the students. The institute taught a very small number of students and the large amount spent upon it was not commensurate with the product of its work. The motion was withdrawn.

Mr. Mukandilal next moved a reduction of one rupee under technical and industrial education and urged the control of the Lucknow School of Arts and Crafts by the Education department.

Raja Bahadur Kushal Pal Singh, Minister of Industries, promised to take into consideration all the points urged by the mover and the motion was withdrawn.

The necessity of developing cottage industries through the agency of district boards by Government granting aid to them was emphasized by Mr. Mukandilal by means of another token cut of one rupee.

Pandit Nanak Chand, Bhaya Hanumat Prasad, Thakur Udaibir Singh, Shaikh Masudul Hasan and Pandit Shri Sadayatan Pande next supported the motion, urging that the indigenous industries of their respective districts should be encouraged by the Industries department.

Mr. Donaldson, Deputy Secretary, Industries department, had just begun to speak when the guillotine was applied. Only one rupee having been reduced as a token cut during these two days, the remaining demand under Industries was voted by the House. The Council then adjourned.

#### DEMAND UNDER IRRIGATION

**26th. MARCH :—**After question-time to-day Sir George Lambert (Finance Member) moved for a grant of Rs. 39,57,608 under the head of irrigation expenditure charged to revenue.

Thakur Hanuman Singh moved a reduction of the sum, urging that the hydro-electric scheme be extended to Muttra district.

Sir George replied that the scheme was nearing the stage of completion and had reached the outskirts of Agra city. Government would like to see their present position consolidated before extending the scheme, but probably the time would come when the scheme would be extended to Muttra. The motion was withdrawn.

Mr. Obeidur Rahman Khan moved a token cut to urge Government again to introduce in the Council the Irrigation Rates Bill.

Sir George Lambert said that he was perfectly willing to consider the question when the Council was reconstituted after the coming general elections.

The motion was withdrawn.

Pandit Rahas Behari Tewari proposing a token cut, suggested that notices sent by the irrigation department to villagers should be in Hindi as most of them did not understand Urdu.

Mr. Jwala Prasad, Chief Engineer, said that orders had been issued to cultivators to have their accounts and receipts written in any language they preferred.

The motion was withdrawn.

Lala Jagadish Prasad moved a token cut to urge that in view of the succession of lean years and of the damage caused by locusts and the tendency of prices to fall, Government should reduce the irrigation rates.

Mr. Jwala Prasad, Chief Engineer, opposed the motion. He stated that the rates were not too high for the cultivators to pay.

The motion was rejected by 37 to 35 votes and the entire demand was then voted. The Finance Member next moved for a grant of Rs. 61,57,900 for capital outlay on irrigation and hydro-electric works.

A motion which raised the question of grant of the electric license to Messrs. Martin and Company was discussed under this demand.

Moving a token cut Babu Jiram Saxena wanted to know why Government



had granted a license to Messrs. Martin and Company instead of distributing energy to the cultivators themselves. He further asked if the Martins had sold any shares in the United Provinces.

Mr. Jwala Prasad, Chief Engineer, said that the Council had already discussed last year the question of grant of the license to Messrs. Martin and Co and he had no intention of going into the matter afresh.

As regards distribution of electric energy in retail his opinion was that the sale of any commodity to the public had better be left in the hands of a business firm than that it should be done by Government themselves. Messrs. Martin and Co advertised their shares in papers in the United Provinces and those who desired could have easily applied for them.

Mr. C. Y. Chintamani, supporting the motion, criticized the Chief Engineer's statement that the failure of people in these provinces to get shares was due to the fact that they did not apply for them. He knew an instance in which a distinguished citizen of these provinces, who promptly applied for shares after the first insertion of an advertisement to that effect in 'The Pioneer' and who was told that all the shares had already been subscribed, for the fact was that all shares had been disposed of before any advertisement was published in the United Provinces. Government had sacrificed the interests of the investing public by giving 'carte blanche' to Martin and Co.

After further speeches the motion was put and pressed to a division. It was rejected by 49 votes against 20.

27th. MARCH :—Pandit I. N. Gurtu moved a reduction of the demand by Rs. 100 and raised the question of the cost of the scheme. He asked Government to consider if the rate of 1½ annas per unit for industrial purposes in rural areas was within the easy reach of the poor cultivators. He wanted to know if in case the rate was reduced Government would get enough return to pay interest on the capital outlay and still have a margin of profit.

Mr. Jwala Prasad (Chief Engineer), replying, said the Government had consulted outside experts, who expressed the view that the income estimated by Government was far less than what they would probably get from the working of this scheme. Judging from the great demand for supply of electric energy, the proposed cost per unit was not high at all. The Chief Engineer stressed the fact that the project was perfectly sound and possibilities of future development very great.

The amendment was withdrawn and the demand voted.

Sir George Lambert next presented a demand of Rs. 56,61,220 under the head "Charges on the Irrigation and Hydro-electric Establishment."

Mr. M. P. Merhotra moved a token reduction and inquired why the seniormost Indian superintendent was not going to be appointed Assistant Secretary in the Irrigation Department.

Sir George Lambert said he was not sure if it was in the public interest that the claims of any individual officer to a certain post should be canvassed on the floor of the House. Government, however, had yet made no appointment and the matter was therefore still open. The motion was rejected.

Pandit Bhagwat Narain moved a token cut as a protest against the "extremely slow pace of Indianisation" in the Irrigation Department. He pointed out that not a single Indian officer had been promoted to the post of Superintending Engineer during the last five or six years.

Mr. Jwala Prasad (Chief Engineer), replying, said that appointments and promotions of all officers, Indian or European, depended on merit and if there were instances where Indian officers had been superseded there were similar instances of European officers having been treated in the same manner.

The motion was pressed to a division and rejected by 38 votes against 27.

On the motion of Mr. C. Y. Chintamani the demand was reduced by Rs. 5,000 on the ground of economy in respect of direction charges.

Moulvi Obeidur Rahman Khan moved a token cut and urged that canal cases should be tried by ordinary deputy magistrates and not by canal magistrates appointed by the Irrigation Department.

Mr. Jwala Prasad (Chief Engineer) said that if cases were tried by the ordinary revenue magistrates the parties would be greatly inconvenienced as they would have to travel long distances. Canal magistrates, he pointed out, disposed of canal cases on the spot, which was a great advantage.

The motion was carried without a division and the entire demand, less Rs. 5,001, was voted.

The Finance Member next moved a grant of Rs. 2,160 under the head "Irrigation Capital Outlay in England." The demand was voted without discussion,

#### DEMAND UNDER PUBLIC WORKS

Nawab Yusuf, the Minister in charge, next presented a demand of Rs. 12,85,260 under the head "Establishment—Public Works Department, Building and Roads Branch."

Mr. C. Y. Chintamani moved a reduction of the demand by Rs. 1,200 urging that the special pay of the personal assistant to the Chief Engineer should be reduced from Rs. 200 per month to Rs. 100.

Nawab Yusuf opposed the amendment and it was rejected by 51 votes against 15. The entire demand was next granted after which the Council adjourned.

#### AGRICULTURE DEMAND

*28th. MARCH*.—Moving the demand for Rs. 32,67,714 under "Agricultural, Veterinary, and Co-operative departments" in the Council to-day, the hon. Maharaj-Kumar Major Mahijit Singh, the Minister in charge of those departments, in the course of his speech, said that owing to financial stringency the Agricultural department had not been able to do what they would have liked to do during the current year, but nevertheless he hoped that the little they had done would meet with the general approval of the House. One of the chief aims of the department was to teach the cultivators to make the maximum amount of money from their holdings. The United Provinces was undoubtedly the chief sugar-producing provinces in India. The area under sugarcane cultivation in 1928-29 was 140,000 acres and in 1929-30 it was 281,000 acres, or more than double that of the previous year. The Sarda Canal had proved a great boon to sugarcane cultivation, so much so that this province could now compete with the world's markets. Five hundred and seventy-two thousand maunds of improved seeds had been distributed, and from the grants-in-aid disbursed by the department to the extent of 212,000 maunds, they expected a net return of 30,000 maunds of improved seeds in the year. The Government farms would have had to spend Rs. 8 to Rs. 10 lakhs for the same return and therefore the grants they had made were a good business proposition.

After the Minister's speech, motions for reduction were taken up.

Khan Bahadur Maulvi Fasihuddin moved the omission of an item of Rs. 2,000 concerning assistant and deputy directors. He complained that the department was getting top-heavy and the expenditure on direction was increasing from year to year. The Council would be failing in its duty if it did not check this tendency of increase of expenditure in the Agricultural department.

Mr. Clarke, Director of Agriculture, explained the policy underlying the appointment of assistant and deputy directors for carrying on the work of rural reconstruction, demonstration, etc. It was with a view to give extended opportunities to the people of the province to join the Agricultural Service that he had recommended to the Minister to make provision for scholarships for study abroad.

The motion was withdrawn.

Mr. Chintamani next moved the omission of an item of Rs. 10,096 concerning a special officer and wanted to elicit some information regarding this appointment. The budget memorandum showed that the appointment was going to be made permanent and it was a misnomer to call a permanent officer a special officer. Was the permanent strength of the office of the director found inadequate for the expanding activities of the department? Mr. Chintamani added that this was not an unfriendly motion as it was his earnest desire that the Agricultural department should, by its increasing work, prove more useful to the people of the province.

Mr. Clarke, Director of Agriculture, said that the work of the Agricultural department had considerably expanded during the last five years, and it was impossible for one officer to control the department and at the same time look after the research and technical work. The object he had kept in view during the last nine years during which he had been the director was to keep in touch with the practical problem of agriculture and not to give the whole of his time to administrative work. The special officer was intended to relieve him of his administrative work to a certain extent and there was no intention to make this appointment a permanent one. He was not at liberty to say how the mis-understanding arose and how the appointment was made to appear in the budget memorandum as a permanent one.

Mr. Chintamani, in withdrawing the motion, asked the Minister to consider if

the personal assistant which the director now had, was not enough to relieve him of his administrative work to the extent required.

Replying to another token motion moved by Rai Bahadur Mathura Prasad Mehrotra, the director said that there were seven circles in charge of deputy directors in the province, five of whom were Indians. Only one belonged to the Indian Agricultural Service and it was intended to incorporate deputy directors in class I of the new provincial service. The motion was withdrawn.

Mr. Mukandilal moved a token reduction of one rupee and complained that the Agricultural department was doing nothing useful for the people in the hill district where there was plenty of scope for their activities on account of the system.

Mr. Clarke said that his scheme for expansion of work in the hill districts had been approved by the Government and sanctioned by the Finance Committee, but it was not included in the budget this year for lack of funds.

The motion was withdrawn after the Minister gave an assurance that he would give his earnest attention to the matter.

The importance of good cattle-breeding was emphasised by Mr. Mukandilal by another token cut of one rupee. He urged the Government to carry on propaganda on scientific breeding of cattle so that the deterioration of well-bred cattle might be stopped.

Mr. Clark, Director of Agriculture, said that the department was doing its best in the matter of cattle breeding within its limited resources, and the losses incurred on cattle-breeding farms were more than justified by the very useful work they had been doing.

The motion was withdrawn.

Rai Bahadur Babu Mohandal, by a token cut of one rupee, enquired why the lump provision for assistance to private farms had been reduced from Rs. 46,000 to Rs. 17,500 this year. He pointed out that the assistance rendered by the Government gave an impetus to private farms and it should not therefore be reduced.

The hon. Maharaj-Kumar Major Mahijit Singh said that the grants would be increased if funds became available during the course of the year. The motion was withdrawn. The Council shortly afterwards adjourned.

**29th. MARCH:**—On this day Mr. Mukandi Lal, by a token reduction of one rupee, made some suggestions for the better conduct of agricultural experiments and demonstrations in the hill districts.

The hon. Maharaj-Kumar Major Mahijit Singh, Minister, rose to a point of order at this stage and pointed out that this item did not refer to Government farms and the motion was accordingly ruled out.

By another token cut of one rupee, Rai Bahadur Thakur Hanuman Singh urged that the Agricultural department should see to it that the Irrigation department supplied sufficient water to the agriculturists in general and to the owners of experimental and demonstration farms to carry on their work without let or hindrance and should also assist the latter in marketing their produce.

Mr. Clarke, Director of Agriculture, said that the supply of water for irrigation purpose did not come within the scope of work of the Agricultural department, but he never lost an opportunity of urging on the chief engineer for irrigation the requirements of the cultivating classes. They had found that the cheapest method of demonstration was to tackle the villages in groups. Agricultural demonstrations were carried on best in conjunction with other phases of rural reconstruction work.

Mr. Chintamani moved a reduction of Rs. 5,000 under 'Pay of Officers, Agricultural Engineering,' and pointed out that the non-voted charges under this head had enormously risen from year to year. From Rs. 5,100 in 1928-29 they rose to Rs. 10,500 in 1929-30 and were estimated at Rs. 17,600 next year. The explanation was that Rs. 14,000 was accounted for the pay of officers and the remaining rise of Rs. 3,000 was owing to the appointment of an irrigation officer as agricultural engineer, who was expected to take over charge of the engineering section from the superintending engineer, Public Health department, as soon as he had acquired sufficient experience. Mr. Chintamani said that he considered this arrangement neither satisfactory nor desirable as it involved the importation into the agricultural service of a non-voted officer belonging to an All-India service. He moved the cut so that a better arrangement might be made and more economy observed resulting in a retrenchment of expenditure.

The hon. Maharaj Kumar Major Mahijit Singh, Minister, said that the post was advertised in India two years ago, but no suitable applications were received.

Therefore they sought the services of Mr. Hutchinson from the Irrigation department last year and he had now been trained for the work.

Mr. Chintamani, pressing the motion, said that the straight and simple issue before the House was one of economy, and the question for decision was whether the work of the engineering section could not be got on with less expenditure.

The hon. Maharaj Kumar Major Mahijit Singh, winding up the debate, said that if this motion was accepted the result would be that the services of one of the assistant engineers would have to be immediately dispensed with.

The motion was rejected without a division.

Another motion moved by Mr. Chintamani to reduce the item concerning allowances and honoraria of the engineering section by Rs. 5,000 was also rejected, as also an amendment moved by Khan Bahadur Maulvi Fasihuddin to reduce the item by Rs. 3,000.

Rai Bahadur Lala Jagdish Prasad, by a token out of one rupee, urged the necessity for greater expenditure on tube well experiments than the sum of Rs. 1,160 provided in the budget. He said that tube wells were the only source of water supply in those areas which were not irrigated by canals.

Mr. Clarke said that the investigation of the possibility of constructing tube wells in Bundelkhand was now over, and the report was being considered by the Government. Proceeding, the Director of Agriculture said the sum of Rs. 1,160 was for running charges for demonstrating the possibilities of tube wells in Kheri district. The motion was eventually withdrawn.

Rai Bahadur Lala Mathura Prasad Mehrotra, by means of a token out, urged that one borer should be placed in charge of the Cooperative department, but the motion was withdrawn on an assurance by the Minister that he would see what could be done in the matter.

To protest against the wholly inadequate explanations given in the budget memorandum, which did not enable non-official critics who were not financial Pandits to understand the several items of expenditure, Mr. Chintamani moved a reduction of Rs. 10 under "Total expenditure of the engineering section." After the director's explanation of the items referred to, Mr. Chintamani remarked that unless the director held a class for M.L.C.'s it would not be possible for most of them to understand the budget explanations. He suggested for consideration of the Minister that the heads of departments might prepare for the use of members detailed explanatory memorandums relating to their departmental budgets.

Maharaj-Kumar Major Mahijit Singh thanked the mover for the suggestion and promised to see what could be done in the matter, whereupon the motion was withdrawn.

Khan Bahadur Maulvi Fasihuddin moved a token reduction of one rupee and made several suggestions regarding the construction of tube wells. He pointed out that zamindars in several cases had been put to heavy losses by the failure of tube wells constructed for them by the Engineering department, and said that the department was morally and civilly responsible for such losses.

Mr. Clarke said the expert assistance of the Engineering department was always available to zamindars in regard to the working of their tube wells and he did not know a single case in which redress had been refused. The motion was withdrawn.

Replying to another token out of Rs. 10 moved by Khan Bahadur Hafiz Hidayat Hussain, Mr. Donaldson, deputy secretary, said the agricultural engineer would be a subordinate of the director of agriculture, like the deputy directors. There was a close connection between the activities of the Agricultural and Irrigation departments and this was one reason why an officer for the Irrigation department had been chosen as agricultural engineer. The motion was withdrawn.

Mr. Chintamani next moved the omission of a new item of Rs. 1,375 concerning scholarships and prizes, for which the illuminating explanation in the budget memorandum was that it was a new expenditure.

Mr. Clarke explained that it was meant for two new scholarships at Pusa and for raising the existing scholarship from Rs. 25 to Rs. 50. In view of this explanation the motion was withdrawn.

Replying to another token out by Thakur Hukum Singh, Mr. V. N. Metha, secretary, assured him that in making appointments to the subordinate agricultural service and the Co-operative department, training in agriculture was invariably taken into consideration. The motion was withdrawn.

As it was now 6 p. m. the motions were guillotined and the demand was put to the House and carried. The Council was then adjourned '*sine die*'.

**Naini Tal—9 to 15 July, 1930.**

The brief summer session and the last one of the third United Provinces Legislative Council commenced on the *9th. July* at Naini Tal. The proceedings of the Council were dull, because of the withdrawal of staunch Nationalist members of the Council.

**U. P. DISTRICT BOARDS AMENDMENT ACT**

The announcement was made that the United Provinces District Boards Amendment Act, 1930, which was passed by the United Provinces Legislative Council on Feb. 19, 1930, and received the assent of His Excellency the Governor-General on April 17, 1930.

**DEMANDS FOR SUPPLEMENTARY GRANTS.**

The Council then proceeded with the consideration of the demands for supplementary grants in the financial year 1930-31. The motions to omit or reduce the amounts of demands for supplementary grants were seven in number, but only two of them were discussed.

**BEATING OF CONGRESS VOLUNTEERS**

*10th. JULY*:—Mr. C. Y. Chintamani moved an adjournment to discuss the beating of Congress volunteers at Nainital on the previous day when two flag processions were taken out and thirteen volunteers were arrested.

Sir George Lambert denied that there was any beating or any serious injury to any volunteers. The volunteers refused to go to the thana and had to be dragged by force, some volunteers receiving minor injuries in that process.

Ultimately the adjournment motion was carried. Government not challenging any division. In moving Mr. Chintamani said: The object of this motion is to call attention to a definite matter of urgent public importance, namely, the beating of Congress volunteers and others by members of the police force at Naini Tal, the most recent and callous being yesterday afternoon. In accordance with the instructions from the Chair and the terms of my motion I shall limit myself entirely to the events at Naini Tal. Before proceeding further I desire to make it clear beyond any possibility of misunderstanding by anybody that in this motion I do not raise any question of general policy or political issue. I confine myself strictly and entirely to what I would describe as the humanitarian aspect of the question to which I refer, namely, beating by the police. Hon. members on any side of the House might be holding any opinion on the merits of the major political controversy of which this police beating is a bye product. It is perfectly immaterial what one thinks of one or another aspect of that bigger subject. There will be another opportunity for discussion on the other and wider aspects of the subject of which this is only a part. The hon. the Finance Member read out from the police report this morning as to yesterday's occurrences. I was pleased that he did so. I am indeed grateful to him for having done what he did not. I will state the reason why. The hon. members would have noticed on innumerable occasions the direct conflict of testimony between the unofficial communiques as to various incidents in various places in connection with this campaign. Naturally the Government will pin their faith to the statements embodied in the official communiques while the non-official opinion was divided as to where the truth lay. I myself have come to the conclusion after many years of perusal and examination of such statements in discharge of my duties in another capacity outside this hall that the whole of the truth could not be found either in the non-official reports or the official communiques. The tendency almost psychologically, if I may say so, on the part of the non-official reports is to exaggerate the events from their own point of view and on the other side the tendency of the official communiques is to exaggerate whatever may be considered the mistakes of the non-official, to minimise what is alleged against the police, if not wholly to deny it. My own idea is that the truth lies somewhere midway.

"I am to-day in a position to assess the value of the police report on the basis, to a large extent, of direct personal observation. I saw a crowd that gathered yesterday afternoon at a place mentioned by the Finance Member and some of my friends saw at close quarters and were direct eye-witnesses to the beating. We went to the police thana and saw the arrested men and their injuries. We had no difficulty in examining direct with our own eyes that exactly were the injuries sustained, though the police report may be to the contrary.

A member : Hear, hear.

"In the case of at least one of them the injuries were serious and I was not a little amused to hear the Finance Member reading the police report that Mr. Chintamani and many others found these men smiling and drinking milk. Unless human nature is something very different in the case of Congress volunteers from what it is in the case of hon. members, it must be very hard indeed for men who have been beaten, who had marks visible on their bodies, one of whom was visibly smarting under the pain of beating, to be smiling, chatting and drinking milk. If that be true I can only say that it is due to the greatness of the teaching impressed by Mahatma Gandhi upon all his followers to be cheerful even under suffering. It took my breath away to hear the Finance Member that there were no injuries but we found them smiling and chatting. I am now in a position to assess the police reports at their proper value instead of taking them at their face value. On the first day of my arrival at Naini Tal last week for the Finance Committee I saw something very interesting and significant when a ladies' procession was going round crying : 'Gandhi ki Jai.' Men carrying a Dandi rebuked them. I asked them why. They said : Why should these women court beating because whenever that word was uttered by anybody the police beat them ?

Mr. Chintamani quoted the Urdu words used by them and continued : "I make a present of these to the Finance Member as an indication of the feeling of the man in the street—the illiterate man, poverty-stricken non-political man, not the man crying for Swaraj, nor the man who understands the meaning of civil disobedience nor the critic of the Government—but the poor fellow working for the sake of mere pittance to get a full meal. This feeling is so very widespread as to be almost universal in the province. The one engrossing topic, whether it be among the politicians, educated men or businessmen, is how many people are being beaten by the police for doing what the Government regard as unlawful. We do not object to arrests even if they be on an extensive scale. What I want to know is this. Have you satisfied yourselves that the men under your charge are acting within the limits of the law and not exceeding the bounds of propriety or decency ? If there are law-breakers, proceed against them under the law, arrest them and sentence them if you will to enormous terms of rigorous imprisonment. There may be a difference of opinion whether this is a wise policy but you will still be within the limits of law and order.

#### PREVENTION OF ADULTERATION BILL

12th. JULY:—The motions to amend the United Provinces Prevention of Adulteration Amendment Bill were taken up and discussed the whole of the day. All the amendments moved by members were either rejected or ruled out of order and the Bill as amended by the select committee was passed.

#### DISTRICT BOARDS BILL

The Minister for Local Self-Government then introduced the United Provinces District Boards Act Amendment Bill and also moved that the Bill be taken into consideration. There being no amendments the Bill was declared passed. The House then adjourned.

#### USE OF FORCE AGAINST SATYAGRAHIS

14th. JULY:—At to-day's meeting of the Council Rao Krishnupal Singh moved a resolution recommending that in dealing with the civil resistance campaign the policy of minimum interference should be followed, no force should be employed and never more than an irreducible minimum and Government officers and men should under no circumstances have recourse to any but strictly lawful methods.

It added that independent enquiries should be instituted to ascertain the truth about the incidents whenever official high-handedness was alleged and that proper notice be taken of the conduct of such officers and men who might be proved to have exceeded the limits of law and abused the authority and that all persons sentenced to imprisonment for participation in the civil disobedience movement but not convicted of an offence involving violence should be treated as "A" class prisoners. Where there might be special reasons they might be put in "B" class.

The mover quoted the instances of Agra, Jaora, Kosi, Lucknow, Pilibhit, Nainital, Almorah and other places where Government officers and men had used force against the non-violent satyagrahis and said that in most of the cases the sight was sickening. There were instances of merciless beating and ducking in dirty

water and harsh treatment in jail. Not only the volunteers were beaten but more often than not innocent spectators as well. By such actions Government officers were causing unnecessary bitterness and losing public sympathy.

The resolution was supported by all non-official speakers.

Mr. *Hafiz Hidayet Hussain* moved an amendment to the effect that the prisoners should be treated in accordance with the recommendations of the U. P. Jails Enquiry Committee of 1929. Mr. Hafiz said that it was up to the Government to observe its own laws.

Mr. *Mukandilal* said that the Government in its ignorance was giving the necessary impetus to civil disobedience by its repressive policy and the more of it there was, the earlier would Swaraj come. To what extent the Government had alienated public sympathy was evident from the fact that the erstwhile supporters of the Government like Sir Ali Imam were joining hands with Congressmen.

Sir *George Lambert*, Finance Member, maintained that Government officers had always observed the policy of restraint and discretion in dealing with the civil disobedience movement. This was apparent from the fact that in a province of 45 millions of people with the movement in full blast there had been very few instances where force was used. The officers used great discretion in ordering forceful dispersal of unlawful assemblies. This was done in rare cases. Nobody enjoyed ordering use of force but the Government could not abrogate its right to use force when the occasion demanded it. If any person thought that any officer of the Government had exceeded the limit or abused his authority, the law courts were open to aggrieved persons to seek redress. Proceeding, Sir George said that the Government could not agree to treat all prisoners as "A" class prisoners. There were volunteers who had been hired by the Congress to join the movement.

Concluding the Finance Member paid tribute to district officers whose task had become not only heavy but difficult these days. He also complimented the police force for its loyalty in these days of stress and strain.

*Navab Chattari*, Home Member, said that when the civil disobedience movement took shape in breaking the laws, the Government had reluctantly to take steps to meet it. Force had been used in rare instances and every policeman not being an angel, (a voice: He is more often the devil) excesses had been occasionally committed. Critics of the Government must not forget how often a policeman was subjected to filthy abuse by Congress volunteers. No wonder, he was prone to retaliate. It was only human nature. But most certainly the Government did not approve of such conduct. The Government could not consent to treat all convicted volunteers as "A" class prisoners but they were prepared to accept Mr. Hafiz Hidayet Hussain's amendment. As a matter of fact the present rules regarding classification was based on the Jails Committee's recommendations.

Mr. *Chintamani*, speaking last, made a powerful appeal to the Government to try other methods than relentless repression. He said that if on the one hand he did not approve of the civil disobedience movement, on the other he strongly opposed repression. Lord Balfour's policy of resolute Government resulted in the creation of the Irish Free State. A similar policy in India might have unhappier results. In the first quarter of 1930 the Government's policy was one of minimum interference. Had they continued that policy during the next quarter, in all probability the civil disobedience movement would have languished. But the Government came to the rescue by adopting a policy of indiscriminate and relentless repression and instead of being a matter of the past it had become a living menace to the established Government. Government's methods gained more and more adherents and sympathisers of the Congress movement and the position now was that the Government had to be carried by Ordinances.

He was aware that the Central Government was more responsible for this policy than the provincial governments. Still the latter could not escape criticism altogether. The local Government had to be criticised for the manner in which it had carried the instructions of the Central Government. If this Government had instructed its district officers to follow the policy of restraint, moderation and wisdom, it was for the Governor in Council to see that those instructions were followed. Such officers as has failed to carry such instructions should be taken to task. The Governor-in-Council should not always accept the district officers' version of events as gospel truth and regard newspaper reports as fictitious. It was most certainly not a fact that all officers had followed the policy of moderation and restraint.

There was a wide-spread feeling of bitterness in the country against the Government. There was a feeling of regret, pessimism and despondence. The Government was behaving like an ostrich in not seeing it. If the Government intend to rally public opinion against the disobedience movement, they must need give up the policy of repression. In its own interest the Government should try to remove the widespread feeling of discontent and win public opinion to its side.

Rao Krishnapal Singh's resolution as amended by Mr. Hafiz Hidayet Hussain was carried without opposition.

#### THE GOVERNOR'S ADDRESS

*15th. JULY*:—Addressing the Council to-day on the eve of its dissolution H. E. Sir Malcolm Hailey, Governor said that Government had decided to hold provincial elections in conjunction with those of the Assembly and the Council of State. The exact date had been not yet fixed but it would be towards the end of September.

Referring to the situation in which the Administration and the country were involved, the Governor explained the attitude in which the Executive Government approached the events of the last three months.

Referring to the charges made against Government officers of high-handedness in dealing with those connected with the civil disobedience movement, His Excellency said that if the Government's critics took a fair view of the entire picture, far from finding a proof of what was called a policy of terrorism, they would see great restraint by District Magistrates in the use of their statutory powers, great reluctance to apply the law save where real mischief was done and on the part of police great patience in face of much abuse and in face of persistent provocation.

Never has it been in the minds of officers who have been our agents that we might by adopting what are called methods of repression, crush the growth of national feeling or delay the realization of constitutional advance guaranteed to the Indian people by the declaration of the British Parliament.

Proceeding, Sir Malcolm pointed out that the Government was not merely content to entrench itself in a policy of resistance to the civil disobedience movement. It was directing itself to the solution of a situation which was breeding ill-will towards the Administration, was embittering the relations with Great Britain and causing great economic loss in India. If the Congress movement had its motive force in a single and honest desire to further India's political interests, there was an obvious solution. It was to be found in Lord Irwin's address to the Central Legislature on 9th July. The Government did not want conflict. It was simply forced on the Government and the issue was too grave to allow any faltering or any counsel of weakness. If civil disobedience was continued then the Government must continue resistance to it by any means it could command.

The Council was then *dissolved*.



# The Punjab Legislative Council

LAHORE—25th. FEB. TO 21st. MARCH 1930

## DISCUSSION ON TEMPERANCE PROPAGANDA

The Budget Session of the Punjab Legislative Council commenced at Lahore on the 25th February 1930 in a thin house, Choudhuri Shahabuddin presiding. After rejecting two motions of local importance the House adjourned till the 27th.

27th. FEBRUARY:—The Council devoted the whole of the day to the discussion of Lala Mohan Lal's resolution recommending that Government should declare total prohibition as its policy and take steps to give effect to it within the next 15 years and provide in the budget Rs. 50,000 yearly for temperance propaganda. Numerous non-officials supported the motion on the ground that liquor consumption was going up, ruining families, spreading crime and disease and draining away the country's wealth to foreign countries.

Sir Jogendra Singh, Minister of Excise, said that he wished that he could be in a position to give a pledge that the Government's policy would be prohibition but he could not give such a pledge because it was not redeemable in their life time. He said the present policy of the Government was steadily to decrease the number of shops and if there was a tendency towards a rise in consumption to increase the duty. Prohibition must come from within. It could not be imposed from outside. The clause recommending the declaration of the policy of total prohibition by the Government was put to vote and defeated by 22 votes against 28, the Sikhs and Government members voting against the motion. The other clauses and the amendment recommending the expenditure of Rs. 5,000 or such larger sum as could be set apart for propaganda were lost.

## Budget For 1930—31

28th. FEBRUARY:—"Drought and floods, to say nothing of locusts, have combined to prolong the series of lean years which the province has had to endure since the close of 1927," said Sir Alexander Stow introducing the Budget for 1930-31 in the Council to-day.

"The disappointment of the profitless wheat crop in the rabi of 1928, and the disastrous floods and partial cotton failure in the following kharif," he proceeded, "are reflected in the successive diminution of the expected receipt from the budget figure of Rs. 11.22 lakhs to the revised estimate of 10.65 lakhs and the final account of Rs. 10.43 lakhs. To meet this decrease in revenue disbursements were cut down from Rs. 11.69 lakhs (budget figure) to Rs. 11.30 lakhs in the revised estimate and diminished again in the final account to Rs. 11.01 lakhs but the last figure was only obtained by omitting from the expenditure side Rs. 15 lakhs, which the framers of the budget in 1928-29 intended to transfer to the Revenue Reserve Fund and by rigid economy in all departments."

Turning to the revenue account of the current year, he detailed the effects of unprecedented rainfalls on crop, land and property and said:

It is hardly surprising that the revenue account receipts should have dropped from Rs. 11.49 lakhs in the original budget to Rs. 10.64 lakhs in the present revised estimate. Even this figure is only arrived at by including in the receipts Rs. 15 lakhs, which it is proposed to transfer from the Revenue Reserve Fund in order that the loss of revenue may be to some extent counterbalanced on the expenditure side in the revenue account. Leaving out the unexpected additional charges to capital heads, repairs to the irrigation works damaged by floods and heavy rainfall are estimated to have cost Rs. 28 lakhs in 1930-31.

The corresponding estimates for repairs to buildings and roads in charge of the Public Works Department amount to Rs. 8 lakhs in the current year and for 1930-31 to Rs. 4 lakhs. These heavy charges have been partly met during the current year by the postponement of the works in progress to the extent of Rs. 6 lakhs in

the Irrigation Department and Rs 6 lakhs in Buildings and Road Branch, while minor savings have been possible in other departments.

By these economies and by refraining from the transfer of Rs 5 lakhs to the Revenue Reserve Fund, it has been possible to keep the expenditure in the Revenue account at Rs. 11.30 lakhs or only 11 lakhs in excess of the original budget.

The revised expenditure for capital disbursement shows Rs. 1.54 lakhs of expenditure or the same as the budget figure. The realisations of extraordinary receipts have been not less disappointing than last year and are now expected to reach only Rs. 73 lakhs budgetted for in March, 1929.

The expenditure from the provincial loan and advance account has now grown from Rs. 45 lakhs, anticipated when the budget was framed, to Rs. 80 lakhs in the present revised estimate.

In order to avoid closing the year with a minus balance it has been necessary to increase the borrowing from Rs. 1.40 lakhs to Rs. 2.00 lakhs. With this assistance we should end the current year with a balance, on all accounts, of Rs. 20 lakhs, of which Rs. 18 lakhs would be in the Famine Relief Fund. Our task at present is by economy in every direction to prevent a complete depletion of our resources and to avoid the accumulation of debt which may hamper the province in future years.

Unfortunately, the examination of our probable revenue receipts in the coming year has shown that they are likely to exceed Rs. 10.95 lakhs or Rs. 55 lakhs less than the original estimate for the current year. One reason for this falling off is the necessity for flood repairs which reduces the net figure of irrigation receipts by about Rs. 24 lakhs. Another reduction of land revenue by about Rs. 10 lakhs is in consequence of the application of the new Act to settlements started since 1922. Another is the diminution of excise receipts. It has been necessary, therefore, to make all possible economies in expenditure in the hope of balancing the budget.

The expenditure in the revenue account is expected to amount to Rs. 11.22 lakhs or Rs. 27 lakhs more than the revenue receipts, but when we remember that special flood repair in the budget year will cost Rs. 28 lakhs, we may claim that, to all intents and purposes, we have just balanced our budget.

Giving an account of the main capital undertakings, the Sutlej Valley project and the Mandi hydro-electric scheme, the Finance Member said that for 1930-31 it is proposed to ask the Government of India for a loan of Rs. 1.50 lakhs to provide for capital expenditure and takavi. Sir Alexander Stow then concluded :

The budget of 1930-31, taken as a whole has thus been balanced, but only by omitting from it a number of works already approved by the Council and by drawing on extraordinary receipts to assist the revenue account.

#### DISCUSSION ON THE BUDGET

*6th. MARCH* —The Council held a general discussion on the budget and over a dozen persons, who participated in it, criticised the growing expenditure and emphasised the poverty of the people who were unable to bear it.

Mr. Nurullah emphasised the economic distress of the zamindars and recommended a reduction of land revenue.

Sardar Ujjal Singh gave a picture of the grave unemployment situation and urged the promotion of industries in the province as a remedy.

Raja Narendra Nath expressed the opinion that the introduction of free and compulsory vocational education would considerably decrease unemployment.

Mr. Kesho Ram referred to the "meddlesome" judiciary and police and emphasised the promotion of girl education.

*7th. MARCH* :—Continuing the discussion to-day Mr. Dhanpatrai said that one of the methods of easing the situation was the reduction of the salaries of high officials and the opening of industries in order to provide employment.

Sir Mohammad Iqbal said that the present system must end. It was the most expensive in the world. He recommended the appointment of a retrenchment committee to go into the question. Mr. Mukandlal Puri said that there was an alarming lack of industries in the province. Malik Ferozeuddin suggested the pursuit of a liberal policy which itself would remove the agitation and reduce the expenditure on police, jails and the judicial departments.

Dr. Manoharlal (Minister for Education and Industries) replying to the criticisms said that he appreciated the desirability of establishing industries but there were limitations under which any Government could help industries. The Punjab Government had opened, inter alia, a weaving mill at Shahdara, a hosiery institute at Ludhiana

and engineering college and was doing all it could to promote industries. He referred to the advance in girls' education all along the line. The number of schools and pupils had considerably improved within the past few years.

#### SPECIAL POLICE TO BE RETAINED

*5th MARCH*:—The Council to-day *'inter alia'* sanctioned a supplementary grant of over a lakh of rupees for continuing the special police force which was recruited last year for the Congress session. Chaudhuri Afzal Haq's cut of over Rs. 24,000 was lost after an interesting discussion.

Chaudhuri Afzal Haq said that if the Government wanted peace in the province and a check to the undesirable forces at work, it should change its heart. An addition to the police force would aggravate the situation.

Mr. Din Mohammad, opposing the motion, said that every day they heard reports of bombs from one part of the country or other, and these made it necessary for the Government to safeguard the law abiding citizens.

Pandit Nanak Chand, intervening, said the additional police would not be sufficient. If something untoward happened hereafter, the Council would be blamed for rejecting the employment of police.

Mr. Sikandar Hayat Khan pointed out that barring the Central Provinces and Assam the Punjab spent much less on police than any other province in India. If they wanted progress in the province, they should organise themselves and free the province from the bomb cult, which was being pursued by the people who had no stake in the land.

No member of the Government replied to the debate. The motion was lost without division.

#### CUT IN MINISTER'S SALARY

*17th MARCH*:—A comedy was enacted in the Council to-day. The order paper contained two token cuts to a demand for Rs. 60,000 being the salary of Mr. Manoharlal, Minister of Education by Dr. Chhoturam, a former Education Minister. The object of the first cut was written on the agenda to be to censure the policy of the Minister. Before Dr. Chhoturam was called upon to move the cuts, Sir Fazli Hussain, the Leader of the House, drew attention to the importance of the first motion the passage of which would mean "no confidence" in the Education Minister and, therefore, necessitate his removal from office.

The President, thereupon, enumerated the various methods of censuring a Minister which included the one contained in the first cut.

Dr. Gokulchand Narang asked whether if the cut was carried the other Minister would also be unseated.

The President said that this was outside his jurisdiction.

After the cut was carried it was for the Ministers to decide whether they wished to resign together or not. Mr. Manoharlal made it clear that the censure should not affect the other Minister.

Amidst great excitement Dr. Chhoturam rose to move the cuts.

The President asked whether he wished to move both the cuts or one only.

Dr. Chhoturam replied that he wished to move the second cut which aimed at a criticism of the policy of the Minister.

The President then rose and said: "Order, order, the first cut goes and the second cut is 'timebarred.'" There was prolonged applause and laughter.

The President further explained that the second motion had been received an hour too late.

Dr. Chhoturam said: In that case I would move the first cut.

The President refused to allow him to do so, after having expressed the intention not to move it.

Dr. Chhoturam: Then I oppose the whole grant.

The President: When the whole demand is moved then the honourable member can oppose it.

#### UNSEATING OF A MUNICIPAL MEMBER

*18th MARCH*:—The usually dull proceedings of the Council were enlivened to-day by discussion of Choudhuri Afzal Haq's token cut in the salary of Malik Feroze Khan Noon, Minister for Local Self-Government, in order to condemn his action and policy in unseating Malik Lalkhan, Vice-President of the Gujranwala Municipal Committee. Chaudhuri Afzal Haq said that Malik Lalkhan was unseated because he hoisted

the National Flag on the Municipal premises in pursuance of a resolution passed by the Municipality by a large majority. The Bengal Government had not taken any action against the Mayor of Calcutta for hoisting the flag on the Corporation premises. Referring to the defence of the Minister that action was taken on account of the complaint of some members of the Committee against Malik Lalkhan for having the resolution passed in the Committee when the President was temporarily absent, Chaudhri Afzal Haq emphasised that the complaint to the Minister was made after the unseating of Lalkhan.

The speaker unfurled a small National Flag in the Council Chamber and, waving it about, said he was not transgressing the Oath of Allegiance to the Crown, nor could Malik Lalkhan have transgressed the Oath if he had unfurled it. If an Englishman had been in the place of the Minister he would never have taken such a drastic action.

Several members then spoke. Mr. Maya Das, Mr. Maqbool Mahmood and Sardar Harbansingh opposed the motion. Rana Ferozeuddin supported it.

Mr. Din Mohammad, a non-official from Gujranwala, said that Malik Lalkhan had not exercised the Vice President's powers in a legitimate manner. This clearly showed that India was not fit for any kind of reforms. (Ironical cries of "Hear, hear" from the Nationalist benches).

The speaker declared that Malik Lalkhan was put forward as Vice President by the Hindus in order to defeat the rightful claims of Moslem candidates.

Dr. Gokulchand, interrupting, asked, "And who was the rightful candidate? Was he not the honourable speaker himself?"

Mr. Din Mohammad: "There were many others."

Concluding, the speaker said that if the flag was hoisted in pursuance of a resolution aiming at a severance of the connection with the British Government, the ceremony was not innocent and harmless. It was more dangerous than throwing bombs and firing pistols.

Mr. Labhsingh, a member from Gujranwala, said that Malik Lalkhan, during the absence of the President, received a communication from the Congress Secretary asking leave to allow the hoisting of the National Flag. He discussed the request at a special meeting of the Committee where it was passed by a majority of two-thirds of those present. Consequently the flag was hoisted on the Municipal premises. Malik Lalkhan had not thereby transgressed the Oath of Allegiance to the Crown nor did he misuse his position in the Committee.

The Minister not only deprived Malik Lalkhan of the Vice-Presidentship but also of membership of the Committee. The Minister had not thrown open Malik Lalkhan's seat for re-election knowing that the person re-elected would be one who had Malik Lalkhan's support. It was a dirty game.

The members of the Committee wished at a meeting to censure the conduct of the Minister for unseating Malik Lalkhan and thirteen members were for discussing the motion and one against it. Seeing that the censure motion would be passed, the President abruptly adjourned the House. The Minister had said that he unseated Lalkhan because members submitted written protests against his conduct as Vice-President. The speaker challenged the Minister to deny that the written protests were received after the unseating of Malik Lalkhan.

In connection with these written protests the speaker asked the Minister to deny that he had sent a letter to the Deputy Commissioner of Gujranwala through a special messenger asking the Deputy Commissioner to obtain letters of protest from members of the Committee, after an attempt to censure the Minister in the Municipal meeting had been frustrated by the sudden adjournment by the President.

The speaker further asked if the Minister could deny that the Deputy Commissioner sent for, to his bungalow, only those members of the Committee whom he could intimidate and secure written protests from. (Cries of "Shame").

The closure was then applied and the motion was about to be put to the vote when Pandit Nanak Chand asked the President to give the Minister an opportunity to reply to the very serious charges against him, as it was the general wish of the House to hear the reply of the Minister. The House then adjourned.

**20th. MARCH:**—The House and galleries were full when Malik Feroze Khan Noon, Minister of Local Self-Government, stood up to repudiate the charges made against him.

A brief discussion over the question of procedure resulted in the walk-out of Mr. Afzal Haq, the mover of the cut on which the debate was initiated.

Mr. Afzal Haq objected to an opportunity being given to Malik Feroze Khan Noon to speak after the motion for closure was carried.

The President said that the opportunity was being given because the House on Tuesday had unanimously demanded an explanation from the Minister.

Dr. Gokulchand Narang suggested a compromise—that Mr. Afzal Haq, after the Minister had had his say, be allowed to reply to the debate.

The President asked the House whether the Minister only should be allowed to speak. The House having, by a majority, replied in the affirmative, the Minister stood up to speak and Mr. Afzal Haq, intervening, said, "I must go out. This is an infringement of the rights of the minority."

Malik Feroze Khan Noon said that on January 25 the President of the Municipal Committee locked the doors of the Municipal Hall before leaving the town as he feared Congressmen would forcibly take possession of the Hall and hoist the National Flag thereon during his temporary absence. Mr. Lal Khan, Vice-President of the Committee, ordered the Secretary to allow Congressmen to hoist the National Flag and to supply them with a pole. The Vice-President in issuing this order had violated the provisions of Municipal law.

The Minister then went into the internal history of the Gujranwala Municipality to show that Mr. Lal Khan was a nominee of Mr. Labh Singh. The Council had passed a law that members of local bodies should take the oath of allegiance before being allowed to join such bodies. The speaker merely enforced that law, which Mr. Lal Khan had violated.

Turning to the charges levelled by Mr. Labh Singh, the Minister said that Mr. Lal Khan's seat was not being filled by election in order to avoid Lal Khan or his nominee being elected, was baseless as, firstly, the question of filling that vacancy would not be decided by the speaker and secondly, the seat, he had been informed, was being filled by election.

Some members of the Council had come to the speaker with the proposal that, if Mr. Lal Khan were reinstated, the cut would not be moved. The speaker replied that if on account of fear he refrained from performing his duties he would be unfit to be a Minister. (Hear, hear.) If Mr. Lal Khan had come to Government, confessed his guilt and promised that he would not run the future of the Municipality, the speaker would have considered the question of his reinstatement. A chance was given to Mr. Lal Khan to explain his conduct.

He referred to the mob organised by Congressmen which besieged the house of Sardar Bahadur Sundar Singh, President of the Committee, who shut himself and his womenfolk inside. Then the mob besieged the house of his sister. ("Shame.")

Tue motion was lost, nobody claiming a division.

**21st. MARCH:**—The Council concluded its budget session to-day and *adjourned sine die*. Various sections of the Council, except the Hindu party's spokesmen, paid high tributes to Sir Fazli Hussain for his services to the province.

## Summer Session—22 to 26 July 1930.

### REDUCTION OF WATER RATES.

The Council opened its brief summer session on the 22nd. July at Simla in the Assembly Chamber, Sir Shahabuddin presiding. After formal business Mr. Saddiqi moved an adjournment motion to discuss the Government action in removing the name of Mr. Chaudhuri Afzal Haq, ex M. L. C. from the list of jail visitors.

Another adjournment motion took place on Mian Nurullah's motion for 25 per cent. reduction in Abiana (water rates).

Mr. Calvert, in a powerful speech, showed that this reduction, if carried, would amount to abuse of political power, and would not prove the case for provincial autonomy, because the motion would not only lead to loss in the working of the canal system, but would mean that the landlords, who were a very small minority, wished that the burden of the richer classes be lowered and passed on to the poorer classes of cultivators, who formed the majority in the province, but had no voice in the Council.

Discussion continued on the 22nd. March when Captain Sikander Hayat Khan assured the House that the Government was watching the situation, and if it found that relief was needed, the Government would not be found unsympathetic. The resolution was defeated by the Government and Hindu party votes by 36 to 31.

## LAND ALIENATION BILL.

Mr. Qureshi then moved a resolution urging the amendment of the Land Alienation Act, Punjab, with a view to limit definitely to 20 years the period upto which the lands of the members of agricultural tribes under insolvency proceedings could be leased, but the Hindu party vigorously opposed the motion which was strongly supported by the Zaminder Party.

The Revenue Member assured the House that the status quo would be restored if the Government found that there was any restriction of the scope of the Act as a result of any judicial ruling. The President appealed to the mover to withdraw the resolution with a view to part from the Council's last session in harmony.

Mr. Chaudhuri Zafarullah characterised this request from the Chair as astounding and the mover pressed for a division.

## CENSURE MOTION ON GOVERNMENT.

Discussion then ensued on Mr. Saddiqui's adjournment motion censuring the Government for removing from the jail visitors' list the name of Mr. Chaudhuri Afzal Haq, who was one of the members elected by the House to the Jail's Standing Committee. The Government spokesman maintained that there was no discourtesy to the House, and that Mr. Afzal Haq's conduct was adjudged as a private individual, and for the moment the Government had kept in suspense the decision whether he should be a non-official visitor or not.

The charge against Mr. Afzal Haq was that he talked gross sedition to the Deputy Superintendent of Borstal Jail, Lahore. The adjournment motion was, after two hour's heated debate, carried by 30 against 28.

## SUPPLEMENTARY GRANTS.

24th. JULY:—The Council carried to-day, by 41 votes against 34, a token cut of one rupee in the police supplementary grant. Mr. Mohanlal, the mover, said that he wished to draw attention to police excesses.

The "cut" was supported by various speakers, including Dr. Gokulchand Narang, Chaudhuri Baldeo Singh and Mr. Din Mahomed.

Chaudhuri Zafarullah, while acquitting the police of the general charge, asked for an assurance that cases of excesses would be referred to a committee consisting of the Finance Member and four non-officials.

Mr. Ogilvie, Home Secretary, denied the allegations and paid a tribute to the magnificent work of the police under inspiring leadership.

Mr. Harbaksh Singh asked the House whether a vote of general condemnation was justified, and whether it would not break the heart of the police.

Sir Henry Craik made a detailed statement refuting the various charges made by the members, and testified to the extraordinary degree of restraint and the high spirit of discipline animating the police in the Punjab. He promised to consider the suggestion of Chaudhuri Zafarullah.

The motion was however pressed to a division and carried. The balance of the police grant and other grants were also voted.

## THE GURDWARA ACT AMEND BILL.

25th. JULY:—The Council considered to-day an amendment of the Gurdwara Act and considerable confusion prevailed regarding the procedure to be adopted in dealing with various dilatory motions tabled by the Hindu Party.

S. Ujjal Singh introduced the Bill and asked for its consideration. Mr. Mukandlal Puri challenged the Bill as it was of a revolutionary character. Because it extended the scope of the Gurdwara Act and materially changed the definition of Sikh, he objected to its being rushed without an opportunity being afforded to persons whose property would be affected to express themselves. He wanted circulation of the Bill so that public opinion might enable them to judge the real defects of the Gurdwara Act and pass comprehensive legislation.

The President held the circulation motion out of order because it did not specify the date up to which opinions would be invited.

Thereupon Lala Kesho Ram moved for the circulation of the Bill to obtain opinions by August 20. He protested against any hurried legislation. The House had already committed a blunder in passing the old act in a hurry. 'Let them not commit a blunder again'.

President: Order, order. That expression is derogatory to the House and must be withdrawn. The speaker withdrew it.

Malik Feroze Khan Noon said that the Bill aimed merely at removing existing doubts and ambiguities. Some of the rulings of the Gurdward Tribunal and High Court showed the need for clarification.

Dr. G. C. Narang objected to further discussion as the Bill had not yet been published in the Gazette, which was mandatory. The President overruled the objection.

S. Ujjal Singh denied that the Bill was revolutionary. He said that it was meant to get over ingenious interpretations put by skilful lawyers like Dr. Narang. Under the existing law even Maharaja Ranjit Singh would not be called a Sikh or a Darbar Sahib a Sikh shrine.

Rai Bahadur Rattanlal as a supporter of the Government warned it against enacting legislation depriving property rights to people not represented in voice. S. Harbaksh Singh supported the Bill.

The motion for circulation was rejected by 33 to 15 votes.

Half an hour was spent on a discussion between the Chair and Dr. Narang as to whether a member could at this stage move for reference of the Bill to a select committee. Eventually the President sought the help of the Legal Remembrancer and for the purpose the House rose for lunch.

After lunch the President declared that after consulting the Legal Remembrancer he was of the definite opinion that if the wider motion of circulation was defeated, the narrower motion of reference to a select committee could not be moved. Dr. Narang and Pandit Nanak Chand contested this view. Dr. Narang took his stand on the practice of the Assembly.

The President then called the Minister Mr. Manohar Lal to expound the position. Mr. Manohar Lal said that if the mover of the Bill asked for reference to a select committee, then the only dilatory motion that could be moved was for circulation, but if the mover asked for consideration of the Bill then those who wished to delay the measure would naturally first raise a motion which would ensure the greatest delay, namely, circulation. But if this motion was rejected then it was open to those who wished to delay the measure to move the lesser dilatory motion of reference to a select committee. The position was quite clear.

Pandit Nanak Chand supported this view.

Sir Feroze Khan Noon, quoting the rule of two days' notice for amendment to clauses, wished the same to apply to these motions.

The President regretted that he could not change his ruling.

Dr. Narang again pressed his point for 15 minutes, after which the President said that the point was intricate and would require further study of an authoritative view on the subject. He himself was not clear and therefore allowed the motion for reference to a select committee which Dr. Narang moved and which was rejected without division. The Bill was then taken into consideration and discussed clause by clause after which the House adjourned.

**26th JULY:**—Dr. Gokulehand Narang and Mr. Mukandlal Puri, who moved to-day most of the amendments, objected particularly to the provision which would unsettle even legal decisions given by the High Court and the Tribunal in the past and wanted this provision to be deleted. They also urged that the new Act should exclude cases in which evidence had already begun to be recorded.

Mr. Sale, the Legal Remembrancer, assured the House that the intention of the Bill was not to upset the decisions already given by the High Court and the Gurdwara Tribunal, but that it was certainly intended to affect those cases now pending trial.

The Bill was passed after formal amendments.

#### SIMON REPORT AND HINDU PARTY

Mr. Keshoram, who had given notice of a motion to consider the Simon Report said that he had consulted his Party and other sections of the House, and all had agreed that it would be a sheer waste of time to discuss a report which all agreed was "retrograde, reactionary and unacceptable."

The Leader of the House twice objected to a speech by a member when he did not wish to move a motion.

Mr. Keshoram having, however, already said what he wished to say was cheered by the non-official section of the House, when he resumed his seat. Thereafter, the House adjourned, and later reassembled to hear His Excellency the Governor.

## THE GOVERNOR'S ADDRESS

His Excellency Sir Geoffrey de Montmorency, Governor of the Punjab, addressing the Council reviewed its work and paid a high tribute to the standard of duty and responsibility which it set before itself in the service of the Province. He hoped those who came back to the Council or those who remained leaders of local opinion would continue to be animated by the traditions of this Council. His Excellency the Governor also looked for support from the members in dealing with the subversive campaign and in bringing the misguided to more sane and more peaceful course. His Excellency reviewing the Council's work, said that its life began with acute communal tension and they had witnessed a fall in prosperity owing to floods and world-wide causes. He assured the House that the Government were closely and sympathetically watching low prices of agricultural produce and said it was greatly to the credit of the landowners of the province that in spite of nefarious propaganda they remained steadfast in their obligation for payment of land revenue. Among legislative output His Excellency mentioned the Land Revenue Amendment Bill which showed that the Punjab Council was the first in India to implement the recommendations of the Joint Parliamentary Committee and the Prevention of "Safa" (gambling) Bill. The Regulation of Accounts Bill (Money-lenders' Bill) was an honest endeavour in legislation but whether it would cure the evils or prevent free flow of rural credit was for the future to show. The Pure Food Bill was another useful legislation.

As regards financial proposals of the Government, criticisms by the Council had been tempered with full realisation of the maintenance of financial stability and sound commonsense and prudence. The Council had been of most valuable moral and material assistance to the Administration. The Council would be leaving behind a legacy in the form of a strong committee working upon problems of devising ways and means of introducing universal primary education.

His Excellency said the Council deserved high praise for the constructive work it did in the matter of constitutional progress. It was the first in India to set up a Provincial Simon Committee and he was sure that the Council would never regret having done so. This Committee of the Council was presided over by Captain Sikandar Hayat Khan and produced a comprehensive and clear-cut scheme and its recommendations regarding internal provincial autonomy closely resembled those suggested in the Simon Report. The Round Table Conference would consider the matter further. His Excellency claimed that in sincerity and enthusiasm with which the Council had striven to gain real experience in the working of representative institutions it was second to none in India.

### The Fourth Council—24th. Oct. to 8th November 1930

The fourth Punjab Legislative Council opened at Lahore on the 24th. October 1930, when 79 out of 94 members were present. Bansī sweeper, the Congress nominee from Lahore, was escorted by a friend to a seat on the front bench to the President's right. Bansī and Ramjidas (barber), another Congress nominee from Amritsar, were probably the only *Khaddar* clad members. They were freely greeted by many members, including Sir Jogendra Singh, Malik Ferozekhan Noon, Dr. Gokulchand Narang, Ministers, and Sir Shahabuddin, ex-President.

25th. OCTOBER :—Sir Shahabuddin was elected President of the Council to-day. A large number of members congratulated him on his election and attributed the unanimous election to his impartiality as president. Bansī sweeper also joined the others in paying a tribute to Sir Sahabuddin and took the opportunity for pointing out to other members that he was not a clay idol as some of them believed him to be, but was a man like themselves. He was cheered by the officials and the non-officials when he rose and when he made this assertion.

### The Punjab Criminal Law Amend. Bill

27th. OCTOBER :—The Council to-day referred to a select committee the Criminal Law (Punjab Amendment) Bill which omits magisterial enquiries from cases arising out of anarchical crimes and sets up special tribunals to try such cases.

Sir Henry Craik introducing the Bill said that within the last year over 30 cases of terrorist and anarchical crimes occurred in the Punjab. Beginning with the Ahmedgarh train dacoity just a year ago, there were many serious outrages including



an explosion at a Lahore Dharamsala, the discovery of a large quantity of bombs in a Lahore Street, and in May a bomb was thrown at the police at Multan injuring the superintendent of police and three constables. In the same month there was an explosion in a Hindu fair at Amritsar and 20 persons were injured. There was an explosion at Sialkot causing one death, there was an explosion at Bahawalpur road, Lahore, a bomb was thrown in a European Club at Lyallpur, there were simultaneous bomb explosions in six districts with a view to blow up policemen, an explosion is said to have occurred at Miṭha Bazar, Lahore, there was an explosion at Moghulpura, on Sept. 27 a bomb was thrown at a party of 50 policemen outside Rawalpindi but the bomb did not explode and there were murderous assaults on Mr. Abdul Aziz, Superintendent of police, Lahore and Inspector Browne. There have been discoveries of bombs and arms at Ludhiana, Jullundur, Sheikhupura, Lahore and Amritsar and there have been minor anarchical outrages at Amritsar, Simla, Jhang, Kamalia and Hesar. Throughout the last year there has been a flow of revolutionary literature.

The speaker produced a pamphlet distributed at a Naujawan Bharat Sabha meeting announcing that the Socialist Republican Army had sentenced Mr. Abdul Aziz to death and that Mr. Abdul Aziz could not escape death. He opined that there was a conspiracy of a widespread and carefully organised type in the Punjab with the sinister object to terrify and demoralise the police by actual or threatened outrages. At present anarchical crimes were distressingly frequent. The Government were of opinion that legislation was necessary for the following reasons to stop protracted trials, (1) the general feeling of terror that conspirators inspire was so great that witnesses have been terrorised, (2) there is a risk of inconvenience being caused by the mobilisation of a highly qualified staff to work out conspiracy cases, (3) financial savings, and (4) effect of publication and otherwise of proceedings of trials of anarchical cases on impressionable minds. Concluding, the speaker promised that a Bill would be introduced in January with a view to enable persons sentenced to death under this legislation to appeal to the High Court.

#### MOTION FOR CIRCULATION

Sheikh Mohammad Salik moving for the circulation of the Bill said that while he condemned anarchical crimes he equally condemned any change in the Statute Book which cut at the very root of the criminal law. The proposals made in the Bill could be given effect to only in a civil war or during martial law. The Bill gave entire power of trial of accused in the hands of executive officers. If the people of England had been wise and granted self-government there would have been no political murders and anarchical crimes.

Mr. Din Mohammad said that it was the duty of all true followers of Mahatma Gandhi to support the Bill which aimed at the punishment of those who used violence.

Mr. Alladad Khan said that owing to the hurry wherein the trial was proposed to be held, even innocent persons would be liable to be punished. This would cause the resentment in the public and instead of reducing the number of revolutionaries, the measure would multiply it. The commitment proceedings which the Bill aimed to abolish enabled the accused to understand the case against him. The abolition of these proceedings would take away a great advantage from the accused.

Panjit Nanak Chand said if this Bill was passed in the present form it would cause a negation of justice. He suggested that no charges should be framed till the whole prosecution evidence was examined and some time should be granted to the accused after the framing of charges for re-cross-examining witnesses. The power of appointing commissioners for the trial of the accused should not be solely vested in the local Government but shared by the High Court and also so far as capital punishment was concerned there should be absolute unanimity between the commissioners.

No division was claimed. The motion for a select committee was carried.

30th. OCTOBER :—The Bill, as amended by the select committee, was to-day placed before the Council which was adjourned till Nov. 4 in order to enable the members to send amendments. The select committee suggested that as the Bill had not been very much altered it should not be re-circulated. The committee changed the name of the Bill to Criminal Procedure Punjab Amendment Act and laid down that it will continue to be in force for two years from the date of the commencement unless the local Government by notification extends it for a further period not exceeding three years and that the commissioners who will try

cases will be sessions or additional judges of three years' standing. A new clause had been added with a view to restrict the prosecution in cases of offences punishable with death from leading further evidence after charges have been framed and empowering the accused under sec. 256, of the Code to seek three days' adjournment of proceedings before the cross-examination of all or any of the prosecution witnesses whose evidence had been taken. Other minor changes included one debarring the accused from demanding resumption of witnesses in case of a change or transfer of a commissioner. The report was signed by all the eleven members.

Mr. Mukandlal Puri had, however, added a short note of dissent urging that not less than one week's adjournment should be permitted before the cross-examination of prosecution witnesses instead of three days as suggested by the committee.

**4th. NOVEMBER:—** By 34 against 31 votes, the Council passed to-day the amendment of Mr. Mukandlal Puri, adding the following new clause to the Criminal Law (Punjab Amendment) Bill:—

"Every accused shall be supplied with a list of prosecution witnesses along with a brief resume of their evidence and statements if any recorded under Section 164, Cr. P. C., one week before the commencement of the hearing before the Tribunal, provided that nothing in this section will interfere with the discretion of the court to allow the prosecution to produce any witness not mentioned in the list."

Earlier in the day, Mr. Labh Singh's motion for circulation of the Bill was lost after a long discussion.

**5th. NOVEMBER:—** The Council held a four hours' sitting to-day discussing the Bill. About 70 amendments on the agenda were divided in two groups, one group adding new clauses to the Bill, and the other aiming at changing the wording of the various clauses of the Bill. All the nineteen amendments from the first group and four from the second were lost in some cases before and in others after the consideration stage.

Among the amendments lost to-day some suggested that two advocates of not less than five years' standing and one sessions judge of three years' standing should constitute the Tribunal for trying the accused, that the members of the Tribunal should exercise their powers subject to ordinary powers of revision and superintendence of the Lahore High Court, that no sentence be passed in a case tried in accordance with this Act until the right of appeal to the High Court had been secured by the accused, and that the accused be supplied free copies of the deposition of witnesses and documents exhibited from day to day.

**7th. NOVEMBER:—** Of the forty amendments which remained on the agenda to-day, 33 were not moved, three were lost, two were accepted, one defeated, and one withdrawn. The amendment withdrawn was moved by Pundit Nanakehand, and urged that the Government should appoint a Commissioner on the Tribunal after consultation with the Lahore High Court. The Government having agreed to the suggestion, the amendment was withdrawn.

Two amendments accepted by the Government made changes in Clause 5 which in the amended form reads:

"(1) Commissioners appointed under this Act may take cognizance of offences without the accused being committed to them for trial and in trying the accused persons, shall record evidence in the manner prescribed in Section 256 of the Code and shall, in other respects also, subject to this Act, follow the procedure prescribed by the Code for trial of warrant cases by Magistrates.

(2) "In the trial of offences of opinion among the Commissioners, the opinion of the majority shall prevail.

(3) "In the trial of offences punishable with death or transportation of life, the prosecution shall not be entitled to lead further evidence after the charges are framed provided that subject to the provisions of sub-section 4, nothing in this sub-section shall be deemed to affect the provisions of Section 10 of this Act and of Section 256 and 540 of the Code.

(4) "If the accused, when questioned under the provisions of sub-section (1), Section 256 of the Code, states that he wishes to cross-examine all or any of the witnesses for the prosecution whose evidence had been taken, the Commissioners shall, if so requested by the accused, adjourn the case for at least seven days before the cross-examination of the witnesses named by the accused is recorded.

Thereafter the House passed the Bill.

**8th. NOVEMBER:—** When the Council met to-day the President read a letter from H. E. the Governor saying that sub-clause five of the Criminal Procedure (Punjab

Amendment) Bill, passed by the House yesterday, gave the accused more privileges than the law gave them at present. Therefore His Excellency suggested the following sub-clause to be substituted :

"Every accused shall be supplied by the Commissioners with a list of prosecution witnesses together with a brief summary of their evidence and their statements, if any, recorded under Section 164 of the Code at least seven days before the evidence of any of the witnesses cited in the list is to be recorded by the Commissioners :

"Provided nothing in this section shall be deemed to limit the discretion of the Commissioners to allow the prosecution to produce any witnesses not mentioned in the list."

After a few futile efforts at amendment by Mr. Puri and Mr. Alladad Khan the House passed the sub-clause.

The House next passed a resolution moved by Mr. Habibullah urging relief to the agriculturists owing to the drop in agricultural produce and the prospects of a disappointing kharif crop. The House then *adjourned sine die*.

-----

## The B. & O. Legislative Council

PATNA—7th. FEBRUARY to 24th. MARCH 1930.

### MUSLIM REPRESENTATION ON LOCAL BODIES

The Budget session of the Behar and Orissa Legislative Council commenced at Patna on the 7th. February 1930. Two Bills providing for adequate representation of Moslems in local bodies were rejected. Mr. Abdul Ghani, piloting the Bills, explained that the Bills aimed at ensuring adequate representation to Moslems and safeguarding their rights. The Bills were based on the sliding scale system, which had already been accepted in the United Provinces.

Minister Sir Ganesh Dutta Singh (Local Self-Government) opposed the principle of the Bill which was based on the sliding scale principle, which in his opinion, was arbitrary and impracticable. He was, however, not against separate representation to minorities, including Moslems. The Bills, as they at present stood, could not be accepted.

Mr. Jagat Narayan Lal said that any extension of the separate electorates would mean the negation of nationalism which they wanted to develop in the country.

The Bills were rejected by 39 votes to 12, only the Moslem members voting for them. Sir Mahomed Fakhruddin, Education Minister, remained neutral.

8th. FEBRUARY:—To-day, two other Muslim Bills providing for adequate Muslim representation in municipalities and district boards by means of separate electorates were referred to a select committee.

Mr Abdul Hamid Khan, moving for the reference of the Bills to a select committee, said the experience of the last two elections showed that the Muslims were not getting due representation. The Bills, therefore, provided for adequate representation to Muslims.

Sir Ganesh Dutta Singh, Minister for Local Self-Government, admitted that the grievance of the Muslims was just, as the experience of the working of the Municipal and Local Self-Government Acts showed. He would not oppose reference of the Bills to a select committee, where matters could be adjusted.

Mr. Sachchidananda Sinha, though sympathising with the desire of the Muslims for adequate representation, opposed the principle of separate electorates and suggested that the select committee should consider not only the question of separate electorates but also other methods of representation whereby adequate representation of Muslims could be secured.

The Minister accepted this suggestion and the Bills were referred to a select

committee by a narrow majority. All the Hindu members except Mr. Sinha who kept neutral voted against the reference motion.

#### FINANCE MEMBER'S BUDGET SPEECH.

**10th. FEBRUARY:**—The Raja of Kanika, Finance Member, delivering the budget speech in the Council to-day said they would start the year 1930-31 with Rs. 30,23,000 more than one expected, thus getting a closing balance for 1929-30 and an opening balance for 1930-31 of Rs. 1,41,94,000, of which Rs. 11,29,000, will be the ordinary balance and Rs. 40,65,000 the balance in the Famine Insurance Fund. They anticipate that the total revenue in 1930-31 will be Rs. 5,85,37,000, an excess of Rs. 7,15,000 over the last year's figure. 'Our revenue with receipts outside the revenue account and the opening balance constitutes the sum which we have at our disposal. It is Rs. 7,52,48,000. The first item which we must set against it is the sum required to meet the ordinary obligatory charges. The proportion of this sum which is chargeable to revenue is Rs. 5,74,21,000. The Government have decided to place before the Council proposals for new expenditure which will ultimately cost Rs. 43,05,000. If those proposals are all accepted they will end the year with a closing balance of Rs. 1,22,41,000 of which Rs. 81,52,000 will be in the ordinary balance and Rs. 40,89,000 in the Famine Insurance Fund. Of the funds available for new expenditure 69 per cent has been allotted to the transferred departments and 31 per cent, to the reserved. The new expenditure on the transferred side includes a scheme to constitute a new Superior Education Service at a cost of Rs. 11,000. This is the first instalment in the process of substituting for the present All-India services the new provincial services which will be under the sole control of the local Government. Rs. 3¼ lakhs are allotted for improvements in the Bihar Engineering College, Rs. 3 lakhs for improving the supply of drinking water, and a recurring grant of Rs. 12,000 for furthering the primary education of girls within municipal limits.'

The Finance Member announced that detailed proposals for time-scale for the secretariat and the lower division of the High Court were under examination. 'They will be completed during the year, so that the scheme will be ready for introduction when it is possible to provide funds and the desirability of doing this as early as possible will be kept steadily in view'.

#### MICA BILL REPORT.

**11th. FEBRUARY:**—In the Council to-day the hon. Mr. Sifton moved the consideration of the Mica Bill as reported by the select committee.

Mr. Sifton explained that alterations had been effected in the Bill by the select committee to meet the objections. The general effect of the changes had been to relax the restrictions originally contemplated. The main object of the Bill was to prevent thefts of mica, with the minimum of restrictions.

At the suggestion of Mr. Sachchidananda Sinha and other members the consideration of the Bill was postponed till March.

#### GENERAL DISCUSSION OF BUDGET

**18th. FEBRUARY:**—The general discussion of the Budget commenced to-day, Mr. Shyamnandan Sahay deplored the deficit in the Budget and criticised the building programme for which over three-quarters of crore had been provided. He complained that of the sums available for new expenditure nation-building departments were receiving less and less each year and suggested the fixing of a percentage for allocation between Transferred and Reserved Departments. Though admitting that police were needed for all civilised people he was prepared to deprive them of a grant of Rs. 64,000 meant for conveyance allowance to writer constables. He suggested the formation of a Budget sub-committee to consider the new financial proposals before they were presented to the House.

Mr. Gajendra Prasad Das complained of delay in giving effect to the recommendations of the Orissa Flood Committee. Mr. Anant Prasad did not see any ground either to congratulate or sympathise with the Finance Member on "a hunderum budget" and said that the Finance Member might have put forward some constructive programme to curtail expenditure in order to avoid a financial crisis. He twitted the Finance Member for hoping that some relief might come as a result of the Simon Commission report and said that if no relief came from Whitehall many were looking towards the holy banks of Sabarmati.

Khan Bahadur Ismail, observed that the most deplorable feature of the Budget

was the continuous deficit. He complained that constructive proposals made by non-official members to reduce expenditure were not attended to. Since the Reforms, the administration had become too heavy and in order to wipe out the deficit it was essential that reasonable retrenchment should be brought about.

Mr. Sachchidananda Sinha, ex-Finance Member and now leader of the Opposition, said that for the second time during the tenure of the Raja of Kanika they were having a deficit budget. During the eleven years of existence of the province under the Reforms, there were seven deficit years and four surplus years. This year's budget disclosed a deficit of about Rs. 20 lakhs. He pointed out that there were two ways of placing finances on a sound and stable basis. One was by raising income and the other by decreasing expenditure. There were no prospects for raising income and they must therefore seriously consider the question of retrenchment.

It was no good taking shelter behind caution but it would be useful to work out boldly a plan of retrenchment. A slice of Rs. 64,000 for conveyance allowance of writer head constables tempted him greatly. He asked Mr. Swain, the Inspector-General, to forego this when the province was faced with a deficit. He hoped that next year the Finance Member might appear in the garb of a fairly benefactor scattering gold.

Mr. Mobarak Ali voiced the grievance that Government were placating classes and ignoring the masses. He considered that it was time for Government to revise their taxation policy and give some relief to the people. He suggested nationalisation of the chief industries of the province and retrenchment in certain directions. The discussion was not concluded when the Council adjourned.

*19th. FEBRUARY* :—In winding up the discussion in the Council to-day, the hon. Raja of Kanika, Finance Member, said that they had cut down the expenditure to a reasonable limit and there was no scope now for further retrenchment. They would do their best to carry out the suggestions of member as possible.

#### TENANCY BILL SHELVED

Presenting next the report of the select committee on the Bihar Tenancy Act (amendment) Bill, the hon. Mr. Sifton reiterated the Government view, holding it essential that any amendment to the Bill which they might endeavour to pass through the council must represent in a large measure legislation by the consent of both parties—landlords and tenants. He explained how attempts to hammer out an agreed legislation had failed particularly on the question of pre-emption. In view, therefore, of the desire of the Raiyats party in the Council and the recommendation of the select committee, the Government had decided not to proceed with the Bill any further.

*20th. FEBRUARY* :—The Council discussed to-day *non-official resolutions*. Mr. Devendra Nath Samanta's resolution for raising the age-limit of aborigines from 25 years to 27 for recruitment to Government service was rejected by the casting vote of the Chair. Mr. Mobarak Ali's resolution for the establishment of a separate women's hospital was also rejected.

#### VICEROY'S ANNOUNCEMENT WELCOMED

*22nd. FEBRUARY* :—The Council to-day adopted unanimously a resolution conveying to the Viceroy its high appreciation of his excellent services to India, welcoming His Excellency's Announcement of the 31st October and expressing the hope of early holding the Round Table Conference. Mr. Mobarak Ali, moving the resolution, said that His Excellency had given his best to India and had come to the country as a true ambassador of goodwill, peace and prosperity. He had done more than many other Viceroy had done to knit closer the bond between the ruler and the ruled. His Excellency's announcement rightly merited the appreciation of all responsible sections of Indian politicians. He urged that the conference be held as early as possible as the time was a great factor in achieving success at the conference.

Mr. Sachchidanand Sinha extending his whole-hearted support to the resolution said that His Excellency had rendered a very valuable service to the whole British empire and had rightly justified the epithet of being India's ambassador. He asked the Government not to persist in its hesitating policy but to move in introducing new reforms as quickly as possible.

Messrs. Sri Krishna Prasad Singh and Anant Prasad pleaded for the creation of a suitable atmosphere. Sir Ganesh Dutta, Minister, on his behalf and on behalf of Sir Fakhruddin who could not attend owing to illness, testified to His Excellency's

excellent services on behalf of India. Other prominent members associating with the resolution were Syed Ismail, Messrs. Chandreshwar Prasad and Sarat Chandra Roy.

#### THE MICA BILL

*8th. MARCH*:—The Bihar and Orissa Mica Bill was passed by the Council to-day. The Government's point of view was that the development of mica mining had been seriously hampered by the prevalence of thefts and the bill was designed to check crime and remedy the unhealthy condition of the industry.

In the select committee certain alterations were effected in the bill to allow such relaxation of control as was consistent with the objects of the bill.

At the instance of the Government two slight amendments were proposed in the bill by Mr. Russell, Revenue Secretary, and adopted.

#### VOTING UNDER BUDGET DEMANDS

*11th. MARCH*:—The Council after some discussion voted the land revenue demand, less Rs. 100 in a token cut under the excise demand. Non-official members, including Mr. Dwarkanath and Mr. Hamid Khan urged the Government definitely to declare their excise policy and to make a start towards the goal of prohibition.

*12th. MARCH*:—Sir Ganesh Dutta Singh, Minister of Excise, defending the excise policy of the Government said that the existence of the province depended on the excise revenue. If the excise revenue disappeared he did not know where the province would be and how the nation-building departments would be fed. It would be a political crime to enforce prohibition. So far as this province was concerned, the Government were acting up to the well-defined policy of maximum of revenue and minimum of consumption.

The token cut motion under the Excise demand was ultimately rejected.

The Council then voted the whole of the Excise demand, also the demands under Stamps, Forests and Registration.

The Council next carried a token cut of Rs. 100 in the Irrigation demand to call attention to certain irrigation matters. The Council then adjourned till March 17.

*17th. MARCH*:—The Orissa members led by Mr. Gajendra Prasad Das moved a token cut of Rs. 100 in the irrigation demand to discuss the recommendations of the Orissa Flood Committee and urge the need of giving immediate effect to the recommendations.

The Raja of Kanika, on behalf of the Government, stated that the Government had already announced their attitude and intentions regarding the committee's recommendations in a resolution. He assured the Council that the Government were doing all that was possible having regard to the financial position of the province and other considerations to give effect to the recommendations of the Flood Committee. The cut motion was withdrawn.

#### PUNITIVE POLICE TAX

*18th. MARCH*:—The Moslem members in the Council to-day moved a token cut in the demand for general administration to call attention to the hardship of their co-religionists in certain areas of the province where an additional police force had been quartered and the cost realised from the inhabitants of those areas.

It was urged that the levy of the tax on Moslems was unjust as they were innocent and did not participate in the disturbances. In spite of a memorial to the Government their grievances had not been redressed.

Mr. Sifton, on behalf of the Government, replied that it would be against the spirit and intention of the law not to enforce the principle of joint responsibility of the population in a disturbed area in regard to levying of the tax for additional police. The law was not peculiar to India but it also prevailed in other countries. The areas were assessed after due official enquiry.

The discussion was not concluded when the Council adjourned.

*19th. MARCH*:—After a full dress debate, the token cut moved by Moslem members was negatived without division. Hindu members led by Mr. Sachchidananda Sinha and Mr. Dwarkanath expressed the view that the Hindus could not accept the Moslem proposition for cow-sacrifice irrespective of custom. They pleaded for goodwill and mutual respect for the feelings of each other.

Mr. Sifton, on behalf of the Government, stated that the Government's policy in the matter of cow-sacrifice was influenced by the established practice, wherever such practice existed. The Government allowed the Moslems to exercise the right of

sacrifice and offered protection where necessary. He maintained that there was provocation on both sides in cases under discussion and therefore the responsibility for quartering additional police would be alike on Hindus and Moslems. There was no ground for exemption.

#### "SEARCHLIGHT" AND GOVT. ADVERTISEMENTS

20th. MARCH:—In the Council to-day Mr. Sachchidanada Sinha re-opened the question of withdrawal of Government's orders withholding from the 'Searchlight' a local newspaper, Government advertisements, communiques and publications by moving a token cut in the General Administration demand. Mr. Sinha took his stand on the question of principle of relation between a Government and the press. He pointed out that the Government seriously erred in taking such action. The Government was not justified in taking action against the paper because it published the documents which the Government chose to mark confidential. It was not a question of the relation of the 'Searchlight' with the Government but the newspaper press as a whole on which depended the well-being of the people. Newspapers being the moulders of public opinion, he asked the Government to reconsider the matter and withdraw its orders.

Mr. Sifton, on behalf of the Government, replying, said that the 'Searchlight' by means, which could not conceivably have been fair means but must have involved somewhere a breach of confidence, had obtained and published secret documents. The paper made no attempt to clear its character of procuring a breach of confidence. The Government decided that it was necessary to show their disapproval by merely withdrawing certain accommodation which the paper formerly received, the paper being the accredited organ of a party which widely proclaimed severing all connections with the Government and declaring Government employment discreditable. It would be placing itself in an illogical and inconsistent position if it desired to receive Government communiques and reports and advertise to its readers vacancies in Government service while, according to its own declaration, such service was anathema.

The motion for cut was ultimately withdrawn.

The Council then effected a token cut of one rupee in the General Administration demand and expressed disapproval of the administration of the Bettiah wards estate.

#### TREATMENT OF PRISONERS

21st MARCH:—The Council voted to-day the demands under 'Administration of Justice' and 'Jails'. Non-official members under a token cut urged the need of jail reforms. Mr. Sachchidananda Sinha admitted that the Government had made an honest effort to improve the jail administration, but the lot of prisoners in India was nothing approaching that of prisoners in civilised countries. A great deal of improvement was still needed and he hoped the question would merit the Government's careful attention.

Mr. Dhanaraj Sharma asserted that prisoners were treated like cattle.

Mr. Devaki Prasad Sinha complained that the system of jail administration was not satisfactorily worked. It was the duty of the Government to discover a remedy for the difficulties and inhumanities of jail life.

The Judicial Secretary stated that no complaint of ill-treatment or breach of rules had been received from any prisoner. If members cited specific cases, the Government would make an enquiry. The jail administration had considerably improved during recent times. He announced that the Government would soon issue final orders regarding the alterations in jail rules.

The Raja of Kanika, member in charge of jails, also assured the Council that the suggestions of members would receive careful consideration and be given effect to as far as practicable. The cut motion was withdrawn.

#### REFORMS IN POLICE DEPT.

22nd. MARCH:—In the Council to-day Mr. Abdul Ghani moved a token cut in the police demand to call attention to the corruption in the Police department.

Mr. Swain, inspector-general of police, claimed that their work in recent years had done much to destroy the bad old traditions inherited from the indigenous police and inculcate higher standards and more noble ideals. Yet he admitted with sincere regret that in too many cases they failed to reach those higher standards and more noble ideals.

Messrs. Sachchidananda Sinha and Dwarkanath paid a tribute to the good work and the reform brought about by Mr. Swain. The cut motion was withdrawn.

There was an animated discussion on the question of the transfer of control of school sub-inspectors to local bodies. The guillotine fell and all the remaining demands under 'education' and other heads were voted without discussion.

#### OFFICIAL BILLS

**24th. MARCH:**—The Council was *prorogued* to-day. Three official bills, the first to provide for better administration and control of Mussalman charitable and religious endowments in the province, the second for imposing tax on motor vehicles for road development and the third for levying drainage tax, were referred to Select Committees. The Council voted the supplementary demands and also passed a resolution for the separation of the Legislative Council office from the Legislative Department of the Government.

### Ranchi—1st. to 8th. July 1930.

The July session of the Council commenced at Ranchi on the 1st. July to transact official legislative business. Sir Saiyid Mahomed Fakhruddin, Education Minister, explained the circumstances under which the Bihar and Orissa Mussalmans Bill had to be dropped. He said that sharp differences of opinion developed in the select committee. All the three Shia members were seriously dissatisfied with almost all the important provisions of the Bill and even the Sunni members were not agreed between themselves on such important provisions as the basic constitution for the Central Board proposed in the Bill. The numerous amendments tabled showed that the Bill had not emerged from the select committee in an agreed form. There were two alternative motions, one to circulate the Bill for opinion and the other recommitting it to select committee. Either of these courses, if accepted, would mean that the Bill could not be passed during the life-time of this Council. The Government did not consider it desirable to carry the Bill through the Council which was substantially distasteful to either of the two important sections of the Moslem community. In spite of his best endeavours it was difficult to reconcile two opposing views. The Government under the circumstances had decided not to proceed with the Bill.

The Motor Vehicles Taxation Bill and the Municipal Amendment Bill which imposed a drainage tax were next passed.

**3rd. JULY:**—The Council voted to day by 40 votes to 13, the Government supplementary demand of Rs. 1,12,516 for supplementing the police reserves by 400 men and their complement of officers.

Some non-official members including Messrs. Srinandan Prasad, Maheshwar Prasad, Shyam Nandan Sahay and Rajandhari Singh, opposed the demand, criticising the action of the police in Bihar and pleading for an impartial inquiry.

Mr. Swain, Inspector-General of Police, pointed out that the police force of the province was dangerously undermanned and it was impossible to deal with the present political situation without additions to the force. The essence of the civil disobedience movement was violence. He quoted several instances to establish this. How could a small police force disperse a large unlawful assembly without using force of some kind. It was because of the police that everybody's life and property were safe, police saving the country from anarchy.

The Hon. Mr. H. K. Briscoe, on behalf of Government, explained that the demand was only an emergency measure. The police had shown commendable restraint under difficult conditions. Charges by the police were not unknown in European countries. Recently in Spain a mob was repeatedly charged by the police. If they did not take early steps to prevent attempts at law-breaking, they would have to use greater force to quell the spirit of lawlessness engendered by such attempts.

The Council next voted another demand of Rs. 20,000 for a counter propaganda campaign against misrepresentation.

#### MOSLEM REPRESENTATION IN LOCAL BODIES

**4th. JULY:**—The Council discussed to-day the bill introduced by Mr. Hamid Khan providing for separate electorates for Moslems in local bodies and giving them in the aggregate a representation of 25 per cent.

Sir Ganesh Dutta Singh, Minister, Local Self-Government, though recognising the claim of the Moslem community for adequate representation, did not agree to the proportion of 25 per cent.

On the motion of Mr. Chandreshwar Prasad Narayan Sinha. the discussion of



the bill was postponed till the 8th as the Moslem and Hindu members were trying to arrive at a compromise on this question.

The council also voted supplementary demands.

*8th JULY* :—Pandit Dhanraj Sharma's resolution for treating all prisoners as 'A' class prisoners with simple imprisonment was withdrawn to-day after a discussion. On behalf of the Government, it was pointed out that it would be impossible to accept the proposal. They were however prepared to look carefully into specific cases of complaint. Mr. Sachchidananda Sinha, though he realised that the resolution was impracticable, urged that prisoners used to a higher standard of life be not under-classified.

The Moslem bill demanding separate electorates for Moslems in local bodies was pressed as no agreement could be reached between the Hindu and Moslem members, but the Council ultimately voted for the circulation of the bill for public opinion. The Council next expressed its appreciation of the services of Mr. Swain, inspector-general of police who was shortly retiring, and acknowledged the improvement brought about by him in the police. The Council also paid a tribute to the work of the President of the Council, Khan Bahadur Khwaja Mahomed Noor after which it *prorogued*.

## The C. P. Legislative Council

Opening Day—17th. January 1930

The January session of the C. P. Legislative Council met at Nagpur on the 17th. January under peculiar circumstances. All Congress members were absent and the House appeared almost half-empty, because there were other absentees also. Out of 72 members, only 41 members attended.

Mr. Raghavendra Rao's point of order attracted attention. His point of order was that Mr. Tambe was a member of the Council under Section 72-A Sub-Section (1) of the Government of India Act. Mr. Tambe was the Vice-President of the Executive Council and was at present holding the office of the Acting Governor. The Acting Governor continued to be an Executive Councillor and Leader of the House. He wanted a ruling in the circumstances whether Mr. Tambe was or not a member of the Legislative Council and whether he should be present in the House.

Mr. Rao pointed out that Section 72-A, Sub-Section (1) which said that the Governor was not a member of the Legislative Council, did not apply to the present Governor. The above section applied to the Governor appointed under Section 46 Sub-Section (2) by Warrant under the Royal Sign Manual. Under Section 91, Sub-Section (1) Mr. Tambe could not forego his liability to discharge his statutory duties as Executive councillor.

Mr. Raghavendra Rao observed that the House was deprived of the presence of the Leader of the House to answer questions and speak on other administrative and legislative matters. He regarded this as an act of discourtesy.

The President reserved his ruling.

The Central Provinces Irrigation Bill was next referred to a Select Committee. The C. P. Tenancy Amendment Bill was also referred to a Select Committee. The C. P. Land Revenue Amendment Bill was passed.

*20th. JANUARY* :—In the Council to-day, after, question time, the President gave his ruling on the point of order raised by Mr. Raghavendra Rao in respect of the Acting Governor.

The President said that whether the hon. Mr. Tambe was or was not a member of this House, the existing position was undoubtedly one which the Government of India Act did not contemplate. Even assuming for the purpose of argument that Mr. Tambe was a member of this House, there was no rule or standing order whereby the Chair could compel the attendance of any member, be he an ex-officio, nominated, or elected member. There were instances where members of the Government had been absent during the session of the Council and the business apper-

taining to their portfolios had been delegated to others and was transacted without detriment. The President added that the mere absence, on the part of an ex-officio or other member, was not by itself an act of discourtesy to the House. Referring to the instance of the absence of the Commander-in-Chief from the Assembly, the President said that those circumstances did not exist in the present case. So no question of discourtesy could arise in the present case.

The President asked the member to bear in mind that whether Mr. Tambe continued to be a member of the House or not, he held the office of the Governor and was entitled to the advantages of that office under section 91, Government of India Act, and any reflection on his conduct by a member of the House was prohibited by the standing orders of the House which, he said, it was his duty as the guardian of the good name of the House to maintain.

The Council then proceeded with non-official business.

#### AMNESTY TO POLITICAL PRISONERS

*22nd. JANUARY*:—In the Council to-day Mr. G. R. Pradhan moved a resolution recommending to the Local Government to grant amnesty to all persons at present in jail convicted of political or communal offences in the province.

Mr. Pradhan urged that a calmer atmosphere should be secured in view of the Viceroy's declaration for Round Table Conference.

Mr. Rizvi opposed the motion, and Mr. Rahman supported it.

Mr. Gordon, opposing the motion, stated that offenders like Awari who incited murders and preached open violence, would never be pardoned by the Government. The individual cases of communal offenders would be considered on their giving an undertaking to keep peace and order in future.

Mr. Khaparde supported the motion.

The House then divided on the motion, and carried it by 23 against 17 votes.

#### PLEA FOR ENQUIRY INTO RESETTLEMENT

*23rd. JANUARY*:—At to-day's sitting of the Council, some non-official resolutions were moved mostly concerning local and provincial grievances.

Mr. Rajurkar moved a resolution recommending the appointment of a committee on the lines of the Bardoli Enquiry Committee, to ascertain whether the revision settlements in certain taluks and villages in Berar were fair and legal and justified by the economic condition of the agriculturists concerned and would otherwise stand the tests of justice, equity and good conscience and to report to the Government what steps should be taken in the matter to meet the complaints of the agriculturists of those areas. It was discussed at great length and, on a division, the motion was declared lost by 25 votes to 17.

#### GRANT-IN-AID TO HIGH SCHOOLS

Mr. G. Dick's resolution recommending to the Government that the maximum amount of grant-in-aid in the case of aided high schools be raised from one-third to one-half of the annual expenditure thereof, was strenuously opposed by the treasury benches, and some non-official elected members. As a result of the opposition, the motion was lost by 24 votes to 19.

#### CORRUPTION IN GOVERNMENT DEPARTMENTS

A non-official resolution recommending to the Government to appoint a mixed committee, with a majority of non-official elected members for holding an enquiry in camera into the question of corruption in the various department and suggesting ways and means to stop it, was opposed by the Hon'ble Sir Arthur Nelson, who asked the House to suggest some practical remedies. No remedies had been suggested and all the burden had been thrown on the Government to evolve a solution.

On a division, the motion was declared carried by 25 votes to 17.

Some members of the Democratic Party abstained from voting on account of the freedom of vote given.

#### ABOLITION OF LIQUOR SHOPS IN SAUGOR

While Mr. Gokulchand Singai's motion recommending to the Government to abolish all country liquor shops in Saugor District from the 1st January next was under discussion, the House adjourned till the next day, the *24th. January*, when after some discussion the Nationalist Party did not vote because the Democratic Party

did not accept the suggestion from Mr. Khaparde, leader of the Nationalist Party, that, instead of Sangor District, Narshingpur District should be rendered 'dry'.

Mr. Gokulchand Singai insisted on Sangor District being made 'dry'. The result was that the motion was lost by 26 votes to 13.

#### REMOVAL OF BAN ON PROF. KHANKHOJE

A resolution was then moved recommending that steps should be taken to move the Government of India to allow Professor P. S. Khankhoje, now in Mexico, to enter the Central Provinces and to remove the ban, if any, on his entering in India. The motion also was lost by the very narrow majority of two votes. 21 members voted for the motion and 23 against it.

The Democratic Party, with the exception of Mr. G. R. Pradhan, voted against the motion. Mr. Raghavendra Rao, leader of the Democratic Party, remained neutral.

#### EXTENSION OF PRIMARY SCHOOLS

Rao Sahib Korde then moved the resolution recommending that immediate steps be taken to open primary schools in all villages in the Central Provinces and Berar with a population of 300 and above.

The motion was carried by 20 votes against 14. There was a free voting on this motion and Mr. Raghavendra Rao, leader of the Democratic Party, remained neutral.

#### GRANTS TO LOCAL BODIES

Mr. B. K. Patil then moved recommending that the maximum amount of Government grant-in-aid to local bodies in the provinces be so raised as to bring it with the proportion of three-fourths of the expenditure incurred by the local bodies on primary education. The Minister of Education opposed the motion. On a division, the motion was declared lost by a majority of two votes, 14 voted for the motion and 16 against. Thus concluded the session. The House then *adjourned sine die*.

### BUDGET SESSION—25th. Feb. to 10th. March 1930.

The Budget session of the Council, the Hon'ble Sir S. M. Chitnavis presiding, commenced at Nagpur on the 25th. February 1930. The Hon'ble Sir Arthur Nelson presented the Budget, which disclosed that the closing balance in 1928-29 proved to be 2801 lakhs, or only 103 lakhs less than the estimate. Such a close correspondence between the estimate and the actuals had not been obtained in any previous Reform budget.

The revised estimates for 1929-30 might be summarised as follows:—

(1) The opening balance was Rs. 103 lakhs less than was anticipated when the Budget was prepared, (2) the net loss on the disbursement side was 54 lakhs, and the Government expected to close the year with a balance of Rs. 31,000, as against the anticipated closing balance of 56 lakhs.

The Finance Member stated that the main variation on the revenue side occurred under land revenue where the large fall of 36 lakhs was the result of heavy suspension and revisions in the wheat and cotton districts owing to crop failure. A total receipt on the revenue account of Rs. 556 lakhs had been budgeted for this year. It was expected that further suspensions, amounting to about nine lakhs, would be necessary. A total expenditure of 556 lakhs had been budgeted for this year, including Rs. 27 lakhs of new expenditure. The Transferred Department secured 83 per cent of the new expenditure. The small surplus of Rs. 12,000 on the revenue account had been budgeted for the famine relief fund. It was expected to close the current year with a minimum balance of Rs. 45 lakhs and close the ensuing year with a balance of Rs. 51 lakhs. Development in the Education, Medical and Public Health, Agriculture and Industries Departments was handicapped for want of funds. Enhanced Stamp duties would give an extra revenue of 10 lakhs. If more rapid expansion was desired the Government would be prepared at the August session to introduce the necessary Bill for amending the Stamps and Court Fees Act accompanied by supplementary demands.

The general discussion on the budget was held on the 27th. and 28th. FEBRUARY. Most of the non-official members urged the Government to curtail the Government expenditure, improve Indian industries and spend more money on education. The abolition of the C. I. D. and no fresh taxation were also urged.

Sir Arthur Nelson summed up the discussion and said that no other province was more economical than this province. He assured a sympathetic attitude towards the question of uplift of the rural areas. Relating to taxation, he said that for efficient administration, funds should be provided.

Voting on Budget demands for grants commenced from the 1st. March and concluded on the 10th. March after which the House adjourned *sine die*. The hon. Sir S. M. Chitanavis, before adjourning the House, expressed his appreciation of the help rendered by the Legal Secretary, Mr. Grille, who was proceeding home on leave. The party leaders and the House joined in expressing their appreciation.

### The New Council—9th. to 12th. December 1930

The new C. P. Legislative Council met at Nagpur on the 9th. December when the members present took the oath of allegiance after which the Council adjourned till the 11th. December when, Mr. Gordon presiding, it was announced that Sir S. M. Chitanavis was re-elected President unanimously, the other three candidates having withdrawn. The House thereafter adjourned to meet on the next day, the 12th. December when Mr. Muzaffar Hussain was elected Deputy President. Mr. Muzaffar Hussain secured 39 votes and his rival candidate Mr. Kolhe secured 25.

Sir S. M. Chitanavis congratulated the Council for having reposed confidence in him and the House assured their support. The Council was then adjourned to Jan. 12 next.

## The Assam Legislative Council

MARCH SESSION—10th. TO 26th. MARCH 1930

BUDGET FOR 1930-31

The March session of the Assam Legislative Council commenced at Shillong on the 10th. March 1930. New members were sworn in. The Hon. Mr. Botham, Finance Member, presented the budget estimates for 1930-31.

The year starts with an estimated opening balance of 221.3 lakhs. The receipts from revenue heads are estimated at a little under 288 lakhs. Increases are expected under land revenue by merely 8 lakhs. The budget provides for expenditure on revenue account nearly 293½ lakhs which includes 10.78 lakhs for new scheme. On capital account the Budget provides for receipts 29½ lakhs and expenditure 38 lakhs. Government propose to take a loan of 27½ lakhs from the provincial loans fund for expenditure on the Shillong-Jaintipur road and other works. Budget leaves a closing balance of 18.49 lakhs.

Important features of departmental budget were explained by members of the Government.

### NON-OFFICIAL RESOLUTIONS

12th. MARCH:—The Council took up non-official business to-day.

Mr. Pyari Mohan Das's resolution recommending the Government to communicate to His Excellency the Viceroy that the Council accepted the offer of the Round Table Conference, as announced by His Excellency's declaration regarding Dominion Status, was carried unanimously.

The Council passed two other resolutions, one recommending the Government to put a stop to Ghani works, oil mills in jails being detrimental to both physique and brain of prisoners, and the other recommending the creation of a post in the

Assam Educational Service for the promotion and development of Sanskrit education.

Mr. Brindaban Chandra Goswami's resolution recommending that at least 50 per cent of recruitment to the Assam Civil Service be made by promotion from junior branch, was opposed. The Chief Secretary, on behalf of the Government, said that this question came up for discussion on previous occasions in connection with questions in the Council and memorials from the members of junior service and the Government decided that though they were prepared to promote a reasonable number and actually promoted a considerable number in past, they were not prepared to say that the proportion of officers so promoted should be regulated by a fixed arithmetical formula as proposed in the resolution and adduced reasons for such decision. The resolution was lost.

Maulvi Ziaoshsham's resolution, recommending a legislation for uniform system of weights for the purchase or sale of things in Assam, was lost.

**13th. MARCH:**—The Council passed three resolutions at to-day's sitting viz:—

Mr. Brindaban Chandra Goswami's resolution recommending sufficient funds to be placed at the disposal of the Local and Municipal Boards for increasing the pay and prospects of the primary school teachers; (2) Mr. Mohendra Lal Dass's resolution recommending arrangements with Tata Iron and Steel Company for admission of some students from Assam into the Jamshedpur factory to qualify themselves for higher technical training abroad and (3) Kumar Gopika Raman Roy's resolution recommending that steps be taken for the convenience of passengers on Assam Bengal Railway. The Council then adjourned till 15th March.

#### GENERAL DISCUSSION OF THE BUDGET

**15th. MARCH:**—After question time to-day the Council proceeded to elect members for various committees and boards of the Council in place of those resigned. General discussion on Budget then commenced.

Mr. Abdul Ziaoshshams stated that deducting Rs. 2750 for loan from the Central Government from the receipts, no closing balance remains and hence it is a deficit budget. He discussed the general policy of the Government and through that the entire machinery of the Government for preparing the budget which was defective in that it took no account of the needs of the people.

Rai Bahadur Nagendra Chaudhury dealt with local needs. Appointment of an Indian as Under Secretary to the P. W. D. was, he thought, a step in the right direction. He expressed warm appreciation of the efforts of His Excellency, Sir Laurie Hammond, Rai Bahadur Pramode Chandra Dutta, Kumar Gopika Raman Roy and others in collecting funds for the relief of the flood stricken people. Mr. E. S. Roffey, leader of the planting group wished to know the policy of the Government regarding original works on roads outside the Road Scheme and protested at the reduction in budget for these works, pointing out that the grant for this purpose in Plains districts amounted to only Rs. 127 for the whole province, none of which was to be expended on metalling roads. He stated that the house would not support the Government if they intended a crore loan to take the place of the previous annual grants for communications. He also dealt at some length with the Indian Road Development Committee as it affected Assam and the Road Scheme to be submitted by the Government. He suggested the appointment of an Indian Bacteriologist in the Veterinary Department with a view to enquiries being instituted into the diseases of Surra and Kumree.

**17th. MARCH:**—Budget discussion continued in the Council to-day. Mr. Hirendra Chandra Chakravarti, Deputy President, pleaded for a change in the Dalton method in secondary schools, for amalgamation of the Medical and Public Health Departments and for provision of more money for the Transferred Departments.

Rai Bahadur P. C. Dutta, ex-Minister, exposed the financial revenues and referred to the unsympathetic attitude of the Government of India towards Assam. He urged the Assam Government to take up the matter with the Government of India and hoped that the labours of the Simon Commission would put the finances of Assam on a better footing. He criticised the Government severely for its Road Board projects for which it has decided to borrow a crore of rupees and suggested that loan should be devoted to nation-building departments. He urged for the conversion of the P. W. D. Secretariat into the Civil Secretariat. He asked the Education Minister to ascertain if as a result of communal representation in service the standard of teaching in secondary schools had not deteriorated. Referring to

the impending Round Table Conference he observed that the Dominion Status within the British Empire involving as it does independence plus British co-operation was a better ideal than independence in the sense of isolation from the British Empire and asked all to take advantage of the Conference.

The Government members replied to the criticisms made by the non-official members on the budget in defence of the Government policy. The Council then adjourned.

Voting on Budget demands for grants was held on the 18th. to 25th. March and the Council was prorogued on the 26th. March. On this day the nonofficial censure motion complaining of the inadequacy of the provision for grants to the local boards was carried against the Government. The hon. Mr. A. W. Botham introduced the Assam Land Revenue Reassessment Bill, 1930, which was referred to a select committee consisting of ten members.

### September Session—8th. to 15th. Sept. 1930

The September Session of the Council commenced at Shillong on the 5th. September. Addressing the Council His Excellency Sir Laurie Hammond described the evils of the non-cooperation movement in relation especially to its effects upon education and commerce and industry and said that he wished to enlist the help of the members in counter-propaganda and their assistance in preventing any further spread of disorder and also in rendering it unnecessary for the Government to have to take further action. It was the duty of the Government of Assam to enforce law and secure to the people in the province freedom and liberty to pursue their peaceful avocations. His Excellency then announced that Mr. Chandra-dhar Barua would represent Assam at the Round Table Conference.

The Council then commenced the business of the session.

The Council adopted the Hon. Mr. Botham's motion to circulate the Assam Forest Amendment Bill for eliciting opinion, also the motion for consideration of the Assam Land Revenue Reassessment Bill.

Babu Rohini Kumar Chaudhuri's motion for its recommitment to the Select Committee was lost.

A Select Committee was formed to consider the Assam Municipal Amendment Bill.

9th. SEPTEMBER:—In the Council to-day, the resolution of Mr. Roffey, recommending the erection of a wireless installation in Shillong to communicate with similar installations in Calcutta and the headquarters stations in Assam, was withdrawn after some discussion. The Hon. Sayid Sir Muhammad Saidulla gave figures regarding the prohibitive cost at the present moment even on the basis of one operator for each centre.

The Council discussed non-official business to-day and passed two resolutions by an overwhelming majority, one recommending the non-recurring grant of two lakhs of rupees to the Local Boards for primary schools' building in the next financial year and the other recommending the declaration of special holidays for the Muhammadan employees on the occasion of Akhiri Chahar Sumba and Muharram as public holidays.

### DEBATE ON CUNNINGHAM CIRCULAR

10th. SEPTEMBER—In the Council to-day, both at question time and later, discussion centred chiefly on the Director of Public Instruction's circular commonly known as the Cunningham circular with a view to restricting students from joining political agitation.

Mr. Rohini Kumar Chaudhuri's resolution recommending its withdrawal and issue of instructions to all school authorities to allow students to rejoin their classes without giving any undertaking was hotly debated till late in the evening.

The Director of Public Instruction and the Minister of Education justified the circular. The resolution was lost 12 only voting for and 27 against it.

### LAND REVENUE RE-ASSESSMENT BILL

11th. SEPTEMBER:—The Council discussed on this and the next day the Assam Land Revenue Re-assessment Bill.

The Hon. Mr. A. W. Botham, Home Member, opposed the amendment of Rai

Bahadur Nilambar Dutta. The amendment stated that the total revenue assessed on an assessment group shall not exceed ten per cent of the value of the gross produce of the group, as determined by the Settlement Officer instead of twelve and half per cent as provided in the Bill. The Home Member informed the House that already the Government had agreed to the reduction of percentage from twenty to twelve and half to meet the wishes of the Council and asked the Council to meet the Government by accepting twelve and half per cent instead of ten per cent. He pointed out that ten per cent would not make an appreciable difference to the Government under the present constitution but would make a vital difference to the future popular Government. Yet, he said, if the amendment were carried he would drop the Bill.

The House, however, carried the amendment by 22 to 21 votes. A point was then raised as to whether the House would usefully proceed with the rest of the amendments since the Government would not move that the Bill be passed.

The President said that until all the amendments were done away with the stage for the Government to move or not to move for the passing of the Bill would not be reached.

While Rai Bahadur N. N. Chowdhuri was speaking on the next amendment, the Hon. Mr. Botham suggested that one or two members from each party feeling interested in the question might meet him and discuss the further course to be taken regarding the Bill. The House concurring with the Home Member in this suggestion the President adjourned the Council for the day. The leaders of different groups then met the Hon. Mr. Botham and an informal discussion was proceeded with.

#### DISCUSSION ON POLICE EXCESS-ES

13th. SEPTEMBER :—The Council discussed to-day the supplementary demands.

There was a full dress debate on Mr. Rohini Kumar Chaudhuri's motion for a token cut reduction on the additional grant of Rs. 5000, raising discussion with regard to the alleged police excesses in the different parts of the province.

The Hon. Maulavi Saiyid Sir Muhammad Saadulla, in the course of his reply, assured the House that he would enquire into one or two cases referred to.

The cut motion was then put to vote and lost. The entire demand for grants were passed.

The Council then proceeded to discuss the amendments on the *Assam Land Revenue Reassessment Bill*. The last amendment was to the effect that "notwithstanding anything contained in this act all reassessment of land in consideration of the amendment, which the Council passed yesterday, to the effect that the total revenue assessed on the assessment group shall not be effected after the 1st. January, 1926, shall be revised under this Act." Mr. Rohini Kumar Chowdhury, mover of this amendment, enquired whether the Hon'ble Mr. Botham would move for the passing of the Bill, which he said he would not do, if the mover did not press it.

The Hon'ble Mr. Botham informed the House that if this were done he would move the passing of the Bill but at the same time would ask His Excellency the Governor to recommit the Bill under provisions of the Government of India Act to a select committee. The Bill was accordingly passed. The Hon. Mr. Botham thanked the Council for the spirit of reasonableness displayed to-day and expressed his obligations to those who assisted him in the matter.

#### DISCUSSION ON SIMON RECOMMENDATION

15th. SEPTEMBER :—Discussion on the Simon Commission's recommendations in the Council was allowed to-day by His Excellency the Governor.

Mr. Brindaban Chandra Goswami moved that "in the opinion of this Council the Simon Commission's recommendations fell far short of Indian expectations and are not inspired by any genuine ideals of liberal statesmanship to help India to attain the complete self-determination within a reasonable period of time and will have to be largely modified before they can be expected to satisfy the legitimate Indian aspirations."

The Hon. Mr. A. W. Botham informed the House that the views of the Assam Government had been forwarded to the Government of India and until they had been published they were not at liberty to disclose them or to discuss them, but the Assam Government would forward the proceedings of the debate to the Government of India who would no doubt send them to England for consideration along with the Simon Report.

Government benches did not therefore take part in the debate.

Mr. Munawarali moved an amendment that "in the opinion of this Council the Simon Commission's report is unacceptable and that Dominion Status with autonomous provinces forming into a federation with full responsibility of provincial and central Governments to their respective legislatures be immediately established with adequate safeguards of interests of Moslems and other minority communities."

The movers of the motion and the amendment and others spoke at a considerable length.

Messrs. Roffey and Witherington, planting members, practically opposed both the motion and the amendment. Mr Roffey in his speech assured the House of the co-operation of the planting community in any new constitution formed on the lines of the Simon Report.

Mr. Munawarali's amendment was carried by the Council without any division. The House was then *prorogued*.

## The Burma Legislative Council

*BUDGET SESSION—13TH. FEB. to 1ST. MARCH 1930.*

Addressing the Burma Legislative Council, which opened its budget session at Rangoon on the 13th. *February*, H. E. the Governor reiterated his expression of satisfaction at the sanity and political wisdom of the Burma leaders' attitude towards the Statutory Commission and the Round Table Conference. There had been little or no hint of non-co-operation and the Lahore Congress resolution had fallen flat here entirely. He thought the political situation had been comparatively quiet in Burma during the last year, but long experience taught him never to be optimistic.

Continuing His Excellency averred that the Government disliked prosecuting people for what were called political offences and declared that they held their hands whenever they could. They also considered whether persons convicted of such offences could be released properly if they apologised.

The Government informed the members that the Capitation and Thathameda taxes, despite some economic depressions, were coming in normally and that violent crimes had decreased. He touched on the Shwedagon pagoda settlement, which had given satisfaction both to the Government and the people characterising it as an index of the Government's general attitude.

The Governor assured the House that the Government were anxious that their relations with the people should be cordial. He next referred to the Government's financial difficulty and the people's economic difficulty.

As regards depression in the rice trade and the suggestion from certain quarter for fixing a minimum price, H. E. the Governor observed that there was no direct action that the Government could take to arrest the fall in price, which must find an economic level in the world market. Only indirect action could be taken, and that was being done. He thought that the agricultural department was helping the cultivator to obtain the maximum quality and quantity at the minimum cost by introducing improved methods, but he remarked that the Government's financial difficulty lay elsewhere, and hoped that the Statutory Commission's report would lead to obtaining a greater share of the revenue raised in Burma.

### PRESENTATION OF BUDGET

The budget for 1930-31 was then presented by the Finance Member. The revised estimates for the 1929-30 Budget show the opening balance at Rs. 73.00 lakhs, and the receipts and expenditure at Rs. 1,154.72 lakhs and Rs. 1,193.09 lakhs respectively, the closing balance being Rs. 34.63 lakhs. The actual opening balance was 104.69 lakhs, but the figures for the first eight months in 1929-30 indicate the receipts to be Rs. 9.98 lakhs and the expenditure to be Rs. 6.43 lakhs less than those estimated. The closing balance is accordingly now placed at Rs. 62.82 lakhs.



The estimates for 1930-31 anticipate an opening balance of Rs. 62.82 lakhs. The receipts and disbursements are estimated at Rs. 1,155.00 lakhs and Rs. 1,196.28 lakhs, respectively, leaving a closing balance of Rs. 20.84 lakhs. There is no new taxation or alteration in the existing taxation owing to the continued trade depression and financial stringency. The budget is an economy budget.

#### RESOLUTION ON DELHI BOMB OUTRAGE

The Council next unanimously passed a motion moved By Tharrawaddy U. Pu condemning the attempt on the Viceregal train and congratulating their Excellencies Lord and Lady Irwin and the whole staff on their miraculous escape. All party leaders supported the motion. The Council then adjourned.

#### DISCUSSION ON BUDGET

*14th. FEBRUARY:*—In the Council to-day there was a general discussion on the Budget in which several non-official members took part. They mainly criticised the Government for not spending more money on nation-building departments particularly on education.

The Finance Member, replying, pointed out that there was no curtailment in the existing activities of the Education Department.

#### HUNGER-STRIKE OF PRISONERS

During question time, the Home Member informed the House that two prisoners, U. Arthapi Ponghyi and N. G. A. Thunt, were on hunger strike in jail. U. Arthapi Ponghyi, undergoing a sentence of three years' rigorous imprisonment for an offence under Section 124-A which was afterwards commuted to one of simple imprisonment. N. G. A. Thunt was hunger striking since 15th November 1929. N. G. A. Thunt, undergoing two years' rigorous imprisonment under the Criminal Law Amendment Act, was hunger striking since 12th October 1929. The latter had also received an additional two months' rigorous imprisonment for an offence under the Prisons Act.

The Council then adjourned.

*15th. FEBRUARY:*—The Council had a short sitting to-day. The President informed the house of the receipt of a telegram from the Private Secretary conveying the Viceroy's thanks for the motion passed by the Council.

The Burma Underground Water Bill to conserve and protect underground sources of water supply was passed without discussion while the Burma Municipal Public Health Amendment Bill was referred to a select committee.

The Council then adjourned.

#### NON-OFFICIAL RESOLUTIONS

*18th. FEBRUARY:*—In the Council discussion on non-official resolutions commenced to-day and continued till the 21st. One resolution recommending the Government to make compulsory the use of mother-tongue the medium of instruction in Anglo-Vernacular schools up to the seventh standard was lost. Another recommending that the policy of the Government should be to incorporate features of Burmese architecture in important public buildings in future was passed without division.

*19th. FEBRUARY:*—In the Council the Government suffered their first defeat over a non-official resolution recommending them to take special steps to remove water hyacinth plants in rivers and creeks in Irrawaddy Division.

*20th. FEBRUARY:*—The Government suffered another defeat to-day over another non-official resolution which was passed by a large majority of votes. The resolution recommended the local Government to afford relief to cultivators by all possible means, particularly by substantial reduction of land revenue in as much as they suffered from floods, bad harvest and unprecedented depression in the paddy trade. The resolution was supported by all parties but opposed by the Government. The Finance Member pointed out that the basis of the resolution was partly incorrect as the floods were less harmful than in previous years and the harvest was quite good as was evident from the exportable surplus quantity, while the depression affected everybody and not only the cultivators. Besides, the resolution, if passed, would affect the finances of the provinces. The resolution was passed, 49 voting for and 23 against. The Council then adjourned.

*21st. FEBRUARY:*—Non-official business was concluded to-day in the Council and Government suffered the third defeat of the session over a resolution moved by

Tharrawaddy U. Pu, recommending the postponement of the collection of land revenue until June next.

The resolution was debated upon for over four hours and was supported by several non-officials who asked Government to relieve the people of the distress caused by the unprecedented depression in the paddy trade. It was, however, opposed by several officials who were of opinion that the resolution was impracticable and unsound on principle and would not benefit those for whom it was intended.

The Finance Member, opposing, repudiated the suggestion that Government were in league with the European millers in manipulating paddy prices, but assured the House that Government were anxious to do everything to allay the distress.

The resolution was pressed to a division and was carried, forty-nine (including Independents) voting for and twenty-one against it. The Council then adjourned.

22nd. FEBRUARY:—The Council had a short sitting to-day. Several additional supplementary grants were passed and the Council adjourned till the 24th. when the budget cuts discussion commenced.

#### VOTING ON BUDGET DEMANDS

24th. FEBRUARY:—Motions for budget cuts commenced to-day in the Council after the Finance Member had moved demands for grants for his departments. One motion for the reduction of rupees one lakh under land revenue was carried by a majority of two votes, subject matter being the restoration of certain Pagoda lands to the trustees at Bassein. The non-officials claimed that the land in question once belonged to that Pagoda. The Finance Member opposing pointed out that there was no record to prove that fact and maintained that it never belonged to the Pagoda trustees.

Another motion refusing Rs. 826,000 as commission on Capitation and Thathameda taxes moved by Tharrawaddy U Pu was under discussion when the Council adjourned. The mover urged the abolition of those taxes and cited several irregularities in the collection of tax resulting in clashes between the officers and the people. The Commissioner of Pegu opposing denied the allegations and remarked that the mover's statements were fictitious. The debate was resumed on the next day, the 25th. FEBRUARY when the Finance Member, opposing the motion, said that the Government had heard of such atrocities as had been cited by the mover. The Deputy Commissioner held an enquiry, and found no truth in the allegations. The motion was passed to a division, and lost by a majority of six votes.

After the Home Member moved his demand for grants, Tharrawaddy U Pu, by a token "cut", urged the unconditional and immediate release of Phongyi U Arthapa, political prisoner now hunger-striking in the Rangoon jail. His grievances were that he was not allowed to wear yellow robes and observe Sabbath.

The Chief Secretary informed the House that the Government offered to release the prisoner on his tendering an apology and giving an undertaking not to take part in political agitations. Arthapa had refused the offer which was still open. His weight was 75 lbs. the same as it was a fortnight back and Government would do all to prevent a fatal end if the prisoner did not persist in refusing the offer. The debate was not concluded, when the Council adjourned.

26th. FEBRUARY:—The debate on Tharrawaddy U Pu's token "cut" was discussed for some hours and ultimately the motion was negatived by a majority of seven votes.

The Chief Secretary said that Arthapa's conviction was for delivering a seditious speech. After his conviction the accused hunger-struck for a week, for not being allowed to wear yellow robes. For over a year and a half, the prisoner wore jail clothes and in September last was admitted into the Jail Hospital for influenza. There, hearing of the late Wizaya's insistence on the use of yellow robes, the accused began to hunger-strike again. At that time the Government classified him as a special class prisoner and allowed him the use of yellow robes but he was not allowed to keep Sabbath. Evidently, his demand for being allowed to observe the Sabbath was an after-thought with a desire to coerce and embarrass the Government.

The Home Member, strongly opposing the motion, said that Arthapa could come out of the jail on giving an undertaking, and the remedy lay in his own hands.

The Finance Member remarked that the non-officials' reasons were based on a false plea of humanity and religion. The Government had great sympathy for the Buddhist religion, but Arthapa broke the law of the land by preaching sedition.

It seemed that the Burmese members were adopting the programme of the Indian National Congress in Burma.

Several non-officials supported the motion, but it was lost on a division.

Another token "cut" for repealing the Anti-Boycott Act was also lost.

The Home Member accepted a token "cut" for the appointment of a committee to enquire into the working of the Habitual Offenders' Restriction Act, with a view to amending or repealing the same. Further discussion was adjourned.

**1st. MARCH:**—The Council held its final sitting to-day when discussion on the Budget cuts concluded and after the disposal of the day's agenda the Council was *prorogued*.

Yesterday Tharrawaddy U Pu moved that the salary of the Forest Minister, the Hon'ble Sir Ah Yain be reduced by one rupee raising a discussion on the present reforms but the motion was ultimately lost on a division by 47 against 33.

To-day the same member moved a similar motion against the salary of the Education Minister, the Hon'ble U Ba Thin condemning Dyarchy, but the motion was negatived without division.

All cuts on the Education Minister's demands were guillotined and the whole of the demands were passed. The House was then *prorogued*.

### Autumn Session—5th. to 11th. August 1930

The political future of Burma was the main theme on which His Excellency the Governor addressed the Council at the opening of the Autumn Session at Rangoon on the 5th. **AUGUST**. The Governor referred to the recommendations of the Simon Commission so far as Burma was concerned, particularly her separation from India and its implications. His Excellency said that as far as he could judge the recommendations had been received by the great majority of the Burmans with genuine pleasure and satisfaction.

He hoped that it would be possible during the present session to give another opportunity of saying definitely whether the Commission's recommendation should be accepted by all. Materials for forming a judgment were available in the report of the Government of India. Parliament had the right to know whether the Burma Legislative Council held the same opinion as in the last year. The view taken by the Council would also carry weight with his Government and would assist them in deciding what their final recommendations to the Government of India should be.

Continuing His Excellency said what the Commission meant was that the principle of separation should be agreed to without undue delay to enable them to get more time for preliminary work. Nevertheless, he doubted the ability of the British Government to decide the question of principle before the Round Table Conference and the decision rested with Parliament. He had advised His Excellency the Viceroy on the necessity of Burma's representation at the Conference but so far as Burma was concerned, if after discussion the British Government decided upon separation, the remainder of the proceedings would be supposed to be largely academic for Burma's representatives. There would be a necessity for a separate enquiry into the form of the constitution but regarding the composition of that Committee the decision rested with the British Government and Parliament. He refuted the suggestion that as a result of separation Burma would be reduced to the status of a Crown Colony and expressed the hope that the measure of constitutional advance for Burma would be no less generous than for India, but ventured a purely personal opinion that immediate grant of Dominion Status was an unpracticable proposition. The objective of the Dominion Status for Burma, in his view, was attainable only in the way it was reached in the Dominions. On the assumption that Parliament would agree to the separation of Burma, he briefly illustrated the heavy responsibilities which would devolve on Burma and advised them to ponder over the long list of central subjects in the Devolution Rules. He laid stress that the parting of India and Burma would be with mutual goodwill leaving no bitterness behind.

Regarding the position of Indians in separate Burma, his Government was entirely in agreement with the Simon Commission's recommendations for special provision in the new constitution for the protection of legitimate interests of non-Burman communities. Referring to a personal matter, he gave out that he was proceeding on leave on medical advice and congratulated Sir Joseph Maung Gyi on becoming the first Burman Governor of Burma.

The Council then unanimously passed Tharrawady U. Pu's motion thanking the King Emperor and Sir Innes appointing Sir Charles Joseph Augustus Maung Gyi as officiating Governor and congratulating the latter for his elevation. The Council then adjourned.

#### PLEA FOR SEPARATE ARMY

*5th. AUGUST*.—Discussion of non-official resolutions at the Council concluded to-day.

A resolution moved by U Ba Pu, recommending to the Government to take the necessary steps to organise a Burman army was passed, several Burmese speakers supporting it, but the Government remained neutral, the matter being a central subject.

#### DISCUSSION ON UNEMPLOYMENT

Another resolution by U Ba Pu to appoint a special Committee of the House to ascertain the extent of the un-employment of Burmans in Burma and to suggest ways and means to find employment for them and to take immediate steps to provide work to the un-employed Burman labourers in the Public Works Department, railways and public bodies, was lost by a majority of five votes.

The mover and the Leader of the Opposition said that the recent riots were due to Burman unemployment, and warned that if means were not devised to reduce unemployment, similar riots and bloodshed would occur throughout the Province. He accused the Government of not taking active steps, and also complained that the stevedores of shipping companies, particularly of the British India Navigation Company were discouraging Burmese Labour.

Mr. Couper, opposing the motion, detailed that the world causes including the collapse of wholesale prices, contributed to unemployment and deprecated the threat uttered by the mover.

Several Burmese speakers supported the resolution.

Some non-Burman members, including the Chairman of the Port Trust, explained the difficulty of employing unskilled Burman labour at the same wages as skilled Indian labour.

The Home Member assured the House that he would have the figures of Burmese Labour employed collected and ascertain the causes of unemployment, and said that when those were available the proposal would be considered. He appealed to the mover to withdraw the resolution, which was pressed to a division and lost. The Council then adjourned.

#### SEPARATION OF BURMA

*5th. AUGUST*.—The Council to-day reiterated its demand for the immediate separation of Burma from India, and passed a motion moved by U Ba Pu which thanked the Simon Commission for having recommended immediate separation in accordance with the wishes of the people of Burma, and requested His Majesty's Government to make an early declaration of the acceptance of the same. The mover, who was a member of the Provincial Simon Committee, remarked that separation was a primary necessity as without it Dominion Status was impossible but he expressed dissatisfaction with the other recommendations in certain respect, especially military contribution and the payment of the public debt.

U. Aung Thun, Chairman of the Provincial Committee, supporting the motion, asked the members not to raise the question of the future constitution, and thus confuse issue as both the issues were different.

The Finance member remarked that the motion was of a great importance and hoped that the members would move in the matter with an appropriate sense of the responsibility, thus giving a definite opinion. He informed the House that the Government would remain neutral and would forward the debate to the proper quarters.

Mr. U. Ba Pe, leader of the People's Party, said that it was wrong to say that his party stood for separation only. They demanded it early as the means to an end, the end being Dominion Status.

Mr. Mirza Rafi, another member of the Simon Committee, assured the House on behalf of Indians, that the latter had no desire to stand in the way of Burmans' constitutional advance, but hoped that Indians' rights and interests would be protected in future.

Mr. H. B. Prior, representing the Chamber of Commerce, said that the Chamber urged separation, and wanted an early declaration.

Mr. Tharrawaddy U. Pu, leader of the Home Rule Party speaking against the motion condemned the Simon Commission Report for not mentioning definitely the future constitution, but urged the grant of Home Rule along with separation. He observed that the Council's verdict, if the motion was passed would not be taken as the country's verdict, as a majority still remained outside the Council.

Several other Burman members, as also one Karen member, supported the motion while another Burman member strongly opposed it, remarking that not knowing the future status separation meant a leap into the dark. The motion was ultimately put to vote, and passed without a division. The Council then adjourned.

#### DOMINION STATUS FOR BURMA

11th. AUGUST:—The Council which concluded its session to-day, was *prorogued* after it had passed, without a division, two non-official motions with reference to Burma's future constitution, in both cases the Government remaining neutral without expressing any views.

The first motion by U Tun Win urged His Majesty's Government to appoint a Royal Commission, consisting of an equal number of members of Parliament and Burmans, to frame a constitution in consultation with the people of Burma.

Emphasising the need for such a proportion in the Commission, the mover instanced in this connection the Simon Commission's boycott, and the "trouble" in India. The motion was supported by several others, while a few disagreed with the mover, pointing out that the materials already collected were ample to frame any constitution.

The second motion by U. Kin Maung Gyi urged the Government to grant Burma immediately a constitution securing her the status of a self-governing dominion within the British Empire. The mover said that the Simon Commission had not mentioned any constitution. Hence the necessity for such a motion, and he urged that such a status for Burma was the object of all political parties, and the general wish of the people of Burma.

This was supported by several speakers, including U Ba Pe, Leader of the People's Party, who regretted the absence of Europeans and the European Chamber's representatives from the House during the debate. He wanted to know their views in this connection as they supported separation, and he said that separation was of no value unless they got Dominion status.

Tharrawaddy U Pu, supporting the motion, criticised the Government for backing separation, but remaining silent on this question.

# **THE INDIAN ROUND TABLE CONFERENCE**

# The Indian Round Table Conference

OPENING DAY—LONDON, THE 12th. NOVEMBER, 1930.

The Indian Round Table Conference was inaugurated by **His Majesty the King Emperor** at a public session in the Royal Gallery of the House of Lords on the 12th. November 1930. The following is the text of the speech delivered by His Majesty on the occasion :—

It affords me much satisfaction to welcome in the Capital of My Empire the representatives of the Princes, Chiefs and People of India, and to inaugurate their Conference with My Ministers and with representatives of the other Parties composing Parliament in whose precincts we are assembled.

More than once the Sovereign has summoned historic assemblies on the soil of India, but never before have British and Indian Statesmen and Rulers of Indian States met, as you now meet, in one place and round one table, to discuss the future system of government for India and seek agreement for the guidance of My Parliament as to the foundations upon which it must stand.

Nearly ten years ago, in a message to My Indian Legislature, I dwelt upon the significance of its establishment in the constitutional progress of India. Ten years is but a brief span in the life of any Nation, but this decade has witnessed, not only in India but throughout all the Nations forming the British Commonwealth, a quickening and growth in ideals and aspirations of Nationhood which defy the customary measurement of time. It should therefore be no matter of surprise to the men of this generation that, as was then contemplated, it should have become necessary to estimate and review the results of what was begun ten years ago and to make further provision for the future. Such a review has been lately carried out by the Statutory Commission appointed by Me for that purpose and you will have before you the outcome of their labours, together with other contributions which have been or can be made to the solution of the great problem confronting you.

No words of Mine are needed to bring home to you the momentous character of the task to which you have set your hands. Each one of you will, with Me, be profoundly conscious how much depends, for the whole of the British Commonwealth, on the issue of your consultations. This community of interest leads Me to count it as of happy augury that there should be present to-day the representatives of My Governments in all the Sister States of that Commonwealth.

I shall follow the course of your proceedings with the closest and most sympathetic interest, not indeed without anxiety but with a greater confidence. The material conditions which surround the lives of My subjects in India affect Me nearly, and will be ever present in your thoughts during your forthcoming deliberations. I have also in mind the just claims of majorities and minorities, of men and women, of town dwellers and tillers of the soil, of landlords and tenants, of the strong and the weak, of the rich and the poor, of the races, castes and creeds of which the body politic is composed. For these things I care deeply. I cannot doubt that the true foundation of self-government is in the fusion of such divergent claims into mutual obligations and in their recognition and fulfilment. It is My hope that the future government of India based on this foundation will give impression to her honourable aspirations.

May your discussions point the way to the sure achievement of this end, and may your names go down to history as those of men who served India well, and whose endeavours advanced the happiness and prosperity of all My beloved People.

I pray that Providence may grant you in bounteous measure, wisdom, patience and goodwill.

After His Majesty had left the Royal Gallery and after the Company had resumed their seats, His Highness The MAHARAJA OF PATIALA (Chancellor of the Chamber of Princes) said :—

The gracious Address which His Majesty The King-Emperor has just delivered strikes a responsive chord in our hearts, and if we can succeed in following the lead which he has given us, I feel confident that our deliberations will be crowned with success. In proposing that the Prime Minister of Great Britain, The Rt. Hon. Mr.

# INDIAN ROUND TABLE CONFERENCE

## LIST OF DELEGATES.

### BRITISH DELEGATION.

MR. RAMSAY MACDONALD.  
LORD SANKEY.  
MR. WEDGWOOD BENN.  
MR. HENDERSON.  
MR. THOMAS.  
MR. LEES SMITH.  
SIR WILLIAM JOWELL.  
LORD RUSSELL.

LORD PEEL.  
LORD ZETLAND.  
SIR SAMUEL HOARE  
HON. O. STANLEY.

LORD READING.  
LORD LOTHIAN.  
SIR ROBERT HAMILTON.  
MR. FOOT.

### INDIAN STATES DELEGATION.

H. H. THE MAHARAJA OF ALWAR.  
† H. H. THE MAHARAJA GAEKWAR OF  
BARODA.  
H. H. THE NAWAB OF BHOPAL.  
H. H. THE MAHARAJA OF BIKANER  
H. H. THE MAHARAJA RANA OF  
DHOLPUR.  
H. H. THE MAHARAJA OF JAMMU AND  
KASHMIR.  
H. H. THE MAHARAJA OF  
NAWANAGAR  
H. H. THE MAHARAJA OF PATIALA.  
H. H. THE MAHARAJA OF REWA  
H. H. THE CHIEF SAHIB OF SANGLI  
SIR PRABHASHANKAR PATTANI.  
SIR MANUBHAI MEHTA.  
SARDAR SAHIBZADA SULIAN AHMED  
KHAN.  
NAWAB SIR MUHAMMAD AKEER  
HYDARI.  
SIR MIRZA M. ISMAIL.  
COL. HAKSAR.

### BRITISH INDIA DELEGATION.

H. H. THE AGA KHAN.  
SIR RAMASWAMI AIYAR.  
\* MAULANA MUHAMMAD ALL.  
DR. AMBEDKAR.  
U AUNG THIN.  
U BA PE.  
SRIJUT CHANDRADHAR BAROOAH.  
MR. J. N. BASU.

SIR SHAH NAWAZ BHUTTO.  
SIR HUBERT CARR.  
MR. C. Y. CHINTAMANI.  
NAWAB SIR AHMAD SAID KHAN.  
MAHARAJA OF DARBHANGA  
CAPTAIN RAJA SHER MUHAMMAD  
KHAN.  
MR. FAZL-UL-HUQ.  
MR. OHN GHINE.  
MR. GHUZZALI.  
LIEUT.-COL. GIDNEY.  
SIR OSCAR DE GLANVILLE.  
SIR GHULAM HUSSAIN  
HIDAYATULLAH.  
KHAN BAHADUR HAFIZ HIDAYAT  
HUSSAIN.  
MR. B. V. JADHAV.  
MR. M. R. JAYAKAR.  
SIR COWASHI JEHLANGIR.  
MR. M. A. JINNAH.  
MR. GAVIN JONES.  
MR. N. M. JOSHI.  
DR. N. N. LAW.  
SIR E. N. MITRA.  
SIR PROVASH CHINDEE MILLER.  
MR. H. P. MODY.  
DR. B. S. MOONJIL.  
DIWAN BAHADUR RAMASWAMI  
MUDALIYAR.  
RAJA NARENDRA NATH.  
RAO BAHADUR PANNIE SELVAM.  
RAJA OF PARLAKIMEDI.  
SIR A. P. PATRO.  
MR. K. T. PAUL.  
NAWAB SIR ABDUL QAYUM.  
DIWAN BAHADUR RAMACHANDRA  
RAO.  
MR. SHIVA RAO.  
SIR SAYED SULLAH AHMED.  
SIR TEJ BAHADUR SAKRU.  
SIR MUHAMMAD SHAEL.  
SARDAR SAMPURAN SINGH.  
MR. SRINIVASA SASTRI.  
SIR CHIMANLAL SETALVAD.  
KUNWAR BISHESHWAR DAYAL.  
SIR PHIROZE SETHNA.  
DR. SHAFIAT AHMAD KHAN.  
BEGUM SHAH NAWAZ.  
RAO BAHADUR SRINIVASAN.  
MRS. SUBBARAYAN.  
MR. S. B. TAMBE.  
SARDAR SAHIB UJJAL SINGH.  
SIR EDGAR WOOD.  
MR. ZAFRULLAH KHAN.

† Rao Bahadur Krishnama Chari acted as delegate in absence of H. H. the Gaekwar of Baroda.

\* Died January 4th, 1931.



James Ramsay MacDonald, should be appointed Chairman to preside over the deliberations of the Conference, I know I am voicing the wish of all present. I can assure you, Mr. Prime Minister, that all of us, whether we are Princes or Ministers, who represents the Indian States, will co-operate most heartily with Great Britain and with British India in working for the solution of the problems which jointly confront us. As Chancellor of the Chamber of Princes I have the honour to propose that the Prime Minister should be appointed as Chairman of the Conference to preside over our deliberations.

#### HIS HIGHNESS THE AGA KHAN

I have great pleasure in seconding the proposal of His Highness the Maharaja of Patiala.

The motion was carried with acclamation.

The Chair was then taken by the Prime Minister.

#### SPEECH DELIVERED BY MR. RAMSAY MACDONALD

I have, first of all, to thank the Maharaja of Patiala and His Highness the Aga Khan for the very generous and hearty way in which they moved the proposition which has been carried so unanimously.

My first duty as Chairman of this Conference is to ask your consent—and I know it will be forthcoming in full measure—that I should convey our humble duty to His Majesty, and an expression of the loyal gratitude with which we have welcomed his gracious presence here and of the inspiration which his words have given us. I know also that you would have me include in your message our loyal and grateful appreciation of the kindly solicitude of Her Majesty the Queen which my Indian friends have been privileged to experience already. Nor are we unmindful that it is to His Majesty's gracious permission that we owe the honour of holding our meeting in this Chamber to-day and hereafter in the Royal Palace of St. James. We are deeply sensible of these signal marks of Their Majesties' sympathy and favour.

I am very conscious of the responsibility you have put upon me. But responsibility lies heavily on us all at this Conference. For we are now at the very birth of a new history. The declarations made by British Sovereigns and Statesmen from time to time that Great Britain's work in India was to prepare her for self-government have been plain. If some say that they have been applied with woeful tardiness, I reply that no permanent evolution has seemed to anyone going through it to be anything but tardy. I am never disturbed by people who say I have not fulfilled my pledges, provided I *am fulfilling* them. We have met to try and register by agreement a recognition of the fact that India has reached a distinctive point in her constitutional evolution. Whatever that agreement may be there will be some who will say that it is not good enough or that it goes too far. Let them say so. We must boldly come out and appeal to an intelligent and informed public opinion. The men who co-operate are the pioneers of progress. Civil disorder is the way of reaction. It destroys the social mentality from which all constitutional development derives its source and upon which all stable internal administration is based.

The task that lies ahead of us is beset by difficulties for the solution of which the past affords no ready-made guide; there are stubborn diversities of view that have still to be brought together, and conflicting interests that have hitherto proved irreconcilable.

Could any issues be more momentous than those we are facing this morning? Could any, at the same time, be more enticing to men who love to make the rough places smooth? We must bring to our task all the resources of mutual trust, of practical sagacity, of statesmanship, which we can command.

This is not the time even for reciting, to say nothing of prejudging, our problems. We shall meet them as we proceed. Let us face them as men determined to surmount them. Why not? What problems of growth and of development in liberty and institutions have our peoples not faced, and united we remain, in spite of all our diversities, because of our skill in harmonising differences by reasonable mutual accommodation. Proof of that is that very goodly array of distinguished Prime Ministers who have been with us for the last few weeks consulting about Dominion affairs.

His Majesty's presence at the opening of our deliberations enabled us to understand both the strength and the flexibility of the bond which binds our whole Commonwealth of Nations together in loyalty and devotion to the Crown. The

attendance of representatives of the Dominion Governments is an earnest of the interest and goodwill which the sister-States in the Commonwealth of Nations will follow our labours. The association of the Princes for the first time in joint conclave with representatives of the people of British India is symbolical of the gradual moulding together of India into one whole. And when I turn to the representatives of British India, I am mindful, it is true, of India's different communities and languages and interests, but I am reminded still more of the quickening and unifying influences which have grown up irresistibly from her contact with Great Britain, and also, and still deeper, of the aspirations for a united India which were in the minds of her philosophers and her rulers before the first English trader set foot on her shores. Nor is it without significance that we, who, though not of India, also seek India's honour, are drawn from all three Parties in this Parliament, on the inter-play of whose rivalries, no less than ideals, is built up our British system of Government. But apart from these things, surely, the simple fact that we have come here to sit at one table with the set and sole purpose of India's advancement within the companionship of the Commonwealth, is in itself an undeniable sign of progress towards that end, and also an inspiring challenge to reach agreement.

We must now begin our labours. Things have been said in the past, whether in anger, in blindness or mischief which we had better forget at this table. Whatever be the story that is to be written of this Conference, be assured a story *will* be written. Let us strive to make it worthy of the best political genius of our peoples and to add by it to the respect paid by the world to both our nations.

#### SPEECH DELIVERED BY H. H. THE MAHARAJA OF BARODA

On this momentous occasion in the history of India and the Empire, it is my privilege to address to you a few words on behalf of the Indian States Delegation here assembled to take part in the Conference which His Majesty the King Emperor has to-day been graciously pleased to open.

We are deeply beholden to His Majesty to whom I beg you, Mr. Prime Minister, to convey our sentiments of Loyalty to his Throne and Person.

These historic precincts have witnessed many Conferences fraught with import: but I doubt if ever before they have been the scene of such a one as this, when the issues at stake involve the prosperity and contentment of India's millions and the greatness of the British Empire.

By the concession in generous measure of the aspirations of the Princes and Peoples of India, and by that alone can realisation be given to the noble words of Victoria, the great Queen as expressed in a famous Proclamation:—

They are these:—

"In their prosperity will be Our strength; in their contentment Our security; in their gratitude Our best reward."

May we all labour whole-heartedly, with mutual trust and good-will, for the attainment of so great an end.

#### SPEECH DELIVERED BY H. H. THE MAHARAJA OF JAMMIA & KASHMIR

I must express our deep gratitude to His Most Gracious Majesty for the cordial welcome tendered to us, and I pray that Providence may grant to us the vision and the will to realise the hopes expressed in those inspiring words uttered this morning by our beloved King-Emperor.

This is the first occasion on which the Princes of India in person sit at the Conference Table along with representatives of British India and of His Majesty's Government to discuss the political future of India Allied by treaty with the British Crown and within our territories independent rulers, we have come here with a full sense of responsibility to our States and to all India. As allies of British, we stand solidly by the British connexion. As Indians and loyal to the Land whence we derive our birth and infant nurture, we stand as solidly as the rest of our countrymen for our Land's enjoyment of a position of honour and equality in the British Commonwealth of Nations. Our desire to co-operate to the best of our ability with all sections of this Conference is a genuine desire; so too is genuine our determination to base our co-operation upon the realities of the present situation.

Neither England nor India can afford to see this Conference end in failure. We must approach our task resolved to succeed and to overcome all difficulties. We all will have to exercise much patience, tact and forbearance; we must be inspired by

mutual understanding and good-will. We needs must give and take. If we succeed, it is England no less than India which gains. If we fail, it is India no less than England which loses. We are not assembled to dictate or accept terms; we are met together to adjust mutual interests for the common benefit.

The task confronting this Conference is a gigantic one. In the case of no people would such an aim as ours be easy of accomplishment. In the case of India, the complexity of the factors is unique. But we believe that difficulties exist only to be surmounted, and, by the Grace God, with good-will and sympathy on both sides, surmounted they shall be.

With the noble words of the King-Emperor's speech still ringing in our ears, we Princes affirm that this Conference shall not fail through any fault of ours.

#### SPEECH DELIVERED BY SIR MUHAMMAD AKBAR HYDARI.

The address which we have been privileged to hear to-day from the lips of His Majesty The King-Emperor, full as it is of that personal sympathy to which every Indian heart readily responds, will prove an inspiration and a guide for all of us.

His Exalted Highness the Nizam, whose representative on the Indian States Delegation I have the honour to be, counts amongst his proudest titles that of "Faithful Ally of the British Government." For 140 years the Nizams have held steadfast to this alliance—"an alliance in perpetuity," as the treaties proudly proclaim it to be.

As with Hyderabad, so with all States; and I can assure the peoples of the Empire and the world at large that no hand shall sever the ties which bind the Princes to the Crown.

At the same time the States, autonomous within their own borders, can fully sympathise with the aims and ideals of the peoples of British India and are ready to work in harmony with them for the Greater and United India, which we all hope may be the outcome of our deliberations.

It is in this spirit we enter the Conference and in this spirit we shall do all that lies in our power to assist in the solution of the problems of our country and the satisfaction of her aspirations.

Every race, creed and region has its own distinct contribution to make to the common weal, and we of the States for our part bring with us no mean inheritance—the traditions and culture handed down from spacious days, when in politics, arts and science India stood amongst the foremost peoples of the world.

We approach our task, which is beset with so many difficulties, in all humility, trusting not in our own power, but in the guiding hand of the Divine Providence.

#### SPEECH DELIVERED BY MR. V. S. SRINIVASA SASTRI.

We all feel heartened to our task by the gracious and inspiring words of His Majesty. They contain lessons which we must practice if we would succeed in the enterprise about to begin. Sir, under your sagacious and often proved guidance, The Crown is the symbol both of power and of unity and draws our hearts in willing homage and reverence. It is more. It is the fountain of justice, freedom and equality among the various peoples of the Common-wealth. Loyalty, therefore, enjoins the faithful and unceasing pursuit of these ideals and we should be failing in our duty to the Crown if we knowingly tolerated, anywhere under the British flag, conditions that produced injustice, inequality or undue restrictions on the growth of communities. This Conference will enable all parties interested in India to bring together their ideas on the subject of her contentment and peaceful advance to the fulfilment of her destiny. Bold and candid speech is required, but also moderation, forbearance and readiness to appreciate differing views. Above all the vision of India as a whole must shine arightly in our hearts, and her strength and prosperity must be the sovereign consideration governing all our plans. You will hear, Sir, many claims and counsels, and some of them may be in partial conflict. Our united prayer is that somehow, through the magic of your personality, these discordant claims will be reconciled and these fragmentary counsels may be gathered into one complete scheme so that this table, whatever its exact physical shape, may be hereafter remembered in history as the table of rounded wisdom and statesmanship. Through all the clouds of prejudice and misunderstanding that darken the problem two statements of policy shine like bright stars by whose light we can guide ourselves. They both have the indisputable authority of His Majesty's Government. One was made by His Excellency the Viceroy just a year ago: it was to the effect that the natural issue of India's constitutional progress, as contemplated

in the Declaration of August, 1917, is the attainment of the Dominion Status. The other was made by him in July this year. It promised India the enjoyment of as large a degree of management of her own affairs as could be shown to be compatible with the necessity of making provision for those matters in regard to which she was not in a position to assume responsibility. Our allotted task is to interpret these statements liberally and translate them courageously into concrete proposals for the benefit of India and the increased glory of the commonwealth.

#### SPEECH DELIVERED BY MR. M. A. JINNAH

May I, at the very outset, say that we appreciate greatly the signal marks of sympathy and kindness on the part of Their Majesties referred to by you and I am sure we all consent in full measure that you should convey our grateful acknowledgements as proposed by you.

This is not an occasion for long speeches nor can I here at this moment discuss some of the vital issues which are uppermost in our mind; but every one here will agree with me when I say that it is very fortunate indeed that a Statesman of your calibre and experience, Sir, has honoured us by agreeing to preside over our deliberations, notwithstanding your other multifarious and responsible duties; and I sincerely pray that your expression of confidence in the ultimate success of this Conference may prove true.

I am glad, Mr. President, that you referred to the fact that "the declarations made by British Sovereigns and Statesmen from time to time that Great Britain's work in India was to prepare her for self-government have been plain" and may I point out further, that the announcement made as recently as 31st October, 1929, by His Excellency the Viceroy on behalf of His Majesty's Government, declared that in their judgment it was implicit in the Declaration of 1917 that the natural issue of India's constitutional progress as there contemplated is the attainment of Dominion Status.

But I must emphasise that India now expects translation and fulfilment of these declarations into action.

There never was a more momentous or graver issue in the history of our two nations than the one we are called upon to face to-day and upon the solution of which hangs the fate of nearly one-fifth of the population of the world.

We welcome the association of the Princes with the representatives of the people of British India and I share the hope with you, Mr. Prime Minister, that all parties and interests and communities concerned will bring to bear upon the task before us — to use your words — all the resources of mutual trust, practical sagacity and statesmanship which they can command.

In conclusion, I must express my pleasure at the presence of the Dominion Prime Ministers and Representatives. I am glad that they are here to witness the birth of a new Dominion of India which would be ready to march along with them within the British Commonwealth of Nations.

#### SPEECH DELIVERED BY MR. BA PE.

The Burmese Delegates are deeply sensible of the signal honour which has been done to Burma by the selection of a Burman to speak on this momentous and historic occasion. It is an honour which will cause genuine pleasure and satisfaction to our countrymen; and on their behalf I wish to say how grateful we are to His Majesty The King for the gracious words he has spoken to us to-day; and I humbly beg leave to assure him of our loyalty to him and his Royal Consort. It has caused us heartfelt satisfaction to see him restored to health and we pray that he may live long to preside over the destinies of this great Empire.

The people of Burma are very grateful to His Majesty's Government for arranging this Round Table Conference, and we believe that a frank and full and friendly discussion can only result in good, both for the people of Britain and of Burma. We believe that friendly discussion will remove obstacles and solve problems that, viewed from one standpoint, only appear insurmountable or insoluble.

We desire to thank His Majesty's Government, the political Parties and leaders and the people of England for the hearty welcome they have given to us and for the generous hospitality they have extended to us.

The case of Burma is in some ways a special one, but we bring to the Conference in the fullest measure goodwill and co-operation, confident that the result of our joint deliberations will promote the political progress of Burma and satisfy the aspirations of its people and increase their prosperity and happiness. We have come

to the Conference with high hopes that, if I may be permitted to adopt the words that you, Sir, used on another occasion only two days ago, our liberty will be broadened, so that we may live with you under the same Crown, enjoying that freedom in self-government which is essential for national self respect and contentment. As Burmans we love Burma our country. We believe in it and in the greatness that lies before it. We look to England with friendship and affection and hope that we shall soon take our place with other Dominions as equal partners in the great British Empire.

CHAIRMAN : Your Highness, My Lords, Ladies and Gentlemen : We have a little piece of business to do which will only keep us in this sitting for a few minutes. I understand that, as a result of the exchange of views privately, an agreement has been come to which enables me to propose this resolution :—

"That a Committee to advise the Conference on the conduct of business shall be constituted, composed of the following sixteen delegates, each of whom shall have the right to nominate another Delegate to take his place in his absence :

"His Highness the Maharaja of Alwar ; Mr. Benn ; His Highness The Maharaja of Bikaner ; Sir Hubert Carr ; Colonel Haksar ; Sir Samuel Hoare ; Sir Akbar Hydari ; Sir Mirza Muhammad Ismail ; Mr. Jayakar ; Mr. Jinnah ; Sir Bhupendra Nath Mitra ; The Marquess of Reading ; Sir Tej Bahadur Sapru ; Sir Muhammad Shafi ; Mr. Srinivasa Sastri ; Sardar Sahib Ujjal Singh."

The resolution was then put and carried unanimously.

After the opening ceremony the Conference devoted five days in plenary session to a debate "on the question whether the future constitution of India should be on a federal or unitary basis." This general debate ranged over a wide field, but its most striking feature was declarations from delegates from the Indian States opening the way to the consideration of a new federal constitution for India, embracing both British India and Indian States.

On the conclusion of the general debate the Conference decided to set up a "Federal Relations Committee to consider the structure of a federal system of government in India as regards relations between Indian States and British India, and relations between Provinces of British India and the Centre, including the question of responsibility at the Centre, and to recommend the main principles to be applied."

It was, however, found more convenient to work through a Committee of the Whole Conference, instead of through this Committee, and the Committee of the Whole set up nine sub-Committees to consider the following questions :—

No.	<i>Name of sub-Committee.</i>	<i>Subject or terms of Reference.</i>
I	Federal Structure	<ol style="list-style-type: none"> <li>1. The Component element of the Federation.</li> <li>2. The type of Federal Legislature and the number of Chambers of which it should consist.</li> <li>3. The powers of the Federal Legislature.</li> <li>4. The number of members composing the Federal Legislature, and if the Legislature is of more than one Chamber, of each Chamber and their distribution among the federating units.</li> </ol>

No.	Name of sub-Committee.	Subject or terms of Reference.
		5. The method whereby representatives from British India and from the Indian States are to be chosen.
		6. The constitution, character, powers and responsibilities of the Federal Executive.
II	Provincial Constitution	... The powers of the Provincial Legislatures. The constitution, character, powers and responsibilities of the Provincial Executives.
III	Minorities	... The provision to be made to secure the willing co-operation of the minorities and the special interests.
IV	Burma	... To consider the nature of the conditions which would enable Burma to be separated from British India on equitable terms and to recommend the best way of securing this end.
V	North West Frontier Province.	To consider what modifications, if any, are to be made in the General Provincial Constitution to meet the special circumstances of the North West Frontier Province.
VI	Franchise.	... On what main principles is the Franchise to be based for men and women.
VII	Defence	... To consider questions of political principle relating to Defence, other than strictly constitutional aspects to be considered by sub-Committee No. I.
VIII	Services	... The relations of the Services to the new political structures.
IX	Sind	... The question of constituting Sind as a separate Province.

The Reports of these nine sub-Committees are given in the following pages. These Reports were received by the Committee of the Whole Conference and noted, together with the comments made on them in Committee of the Whole.

The Conference, after a final debate in plenary session ranging over the whole of its work, passed unanimously a Resolution accepting the Reports of the sub-Committees (and comments thereon in Committee of the whole) as "material of the highest value for use in the framing of a constitution for India, embodying as they do a substantial measure of agreement on the main ground-plan.

### Sub-Committee No. 1. (Federal Structure.)

INTERIM REPORT PRESENTED AT THE MEETING OF THE COMMITTEE  
OF THE WHOLE CONFERENCE HELD ON 16TH DECEMBER, 1930.

#### *Introductory.*

1. The Sub-Committee (for composition *See* p. 295) was appointed to consider and report upon the following four of the Heads of discussion which were framed for the Federal Relations Committee :—

No. 1.—The component elements of the Federation.

No. 2.—The type of Federal Legislature and the number of Chambers of which it should consist.

No. 3.—The powers of the Federal Legislature.

No. 6.—The constitution, character, powers and responsibilities of the Federal Executive.

The Sub-Committee thought that it would be for the convenience of the Conference to present an Interim Report dealing, in the first instance, with Nos. 1, 2, and 3 above. In view of the large issues raised by No. 6, which cannot be separated from those connected with the relation of the Federal Executive to the Crown (No. 12 of the Heads of discussion), it appeared to the Sub-committee that this Head, on the discussion of which they are proposing immediately to enter, should form the subject of a separate report.

2. The Sub-Committee are in a position to report that a most encouraging degree of agreement on the matters comprised in Nos. 1, 2 and 3 has been secured. They recognise that any measure of federation involves for the States sacrifices in a sphere to which they have always attached the greatest importance for practical reasons as well as on grounds of existing treaties and sentiment. They recognise, on the other hand, the natural hesitation of the representative of British India to accept any form of constitutional change which might be thought to endanger the unity of British India or those positive advantages which are derived from a uniform body of law and administrative practice. All parties of the sub-Committee were unanimous in preferring the welfare of India as a whole to the individual claims of the interests they represent and in the conviction that only in the larger unity can the diversity of interests and policies be completely harmonised. The sub-Committee are not dismayed by the criticism which may perhaps be made upon their conclusions, that the links between some parts of the Federation and others are but slender. A new State is not born full grown; it must contain within itself the capacity for growth. The attainment of full maturity must depend upon the efforts and devotion of the statesmen of India herself from whatever territory they may come. The sub-Committee's conclusions are as follows:—

#### CONCLUSIONS.

##### 1. *Component elements of Federation.*

3. The component elements of the Federation should be on the one hand

(a) the federating Provinces of British India, and on the other hand

(b) such Indian States or groups of States as may enter the Federation. Provision should be made for the subsequent entry from time to time of such further States or groups of States as agree to enter the Federation.

The important question of the position of the Crown will require further examination when the relation of the Federal Executive to the Crown is discussed.

4. So far as British India is concerned, the federating organism will be neither the Government of British India as it exists at present, nor autonomous Provinces released from the central tie. The process of Federation will involve the creation of a new State which will derive its powers

(a) in part from the powers which the State will agree to concede to the Crown, to be placed at the disposal of the new Federation; and

(b) in part from the transfer to it of such of the powers of the Central India Government (and also it may be of the Provincial Governments) as may be agreed to be necessary for the purposes of the Federation.

##### II. *Type of Federal Legislature and the number of Chambers of which it should consist.*

5. The Federal Legislature should consist of two Chambers, each containing representatives of both British India and the States (the proportion which the representatives of British India and of the States should bear to each other will be a matter for subsequent consideration under Heads not yet referred to the sub-Committee).

6. The method whereby the representatives of British India are to be chosen was not referred to this sub-Committee, but Their Highnesses made it clear that in their opinion the method by which the States' representatives should be chosen will be a matter for the States themselves. If and so long as there are any reserved subjects it will be necessary for the Crown to be represented in both Chambers.

7. Differences between the two Chambers might be determined either at a joint session or by other means, by vote, whether by a bare majority or otherwise being a question for discussion at a later stage.

### III. Powers of the Federal Legislature

8. A list of subjects provisionally recommended as Federal subjects is appended. This list is framed on the assumption that the Federal Legislature will be clothed with power to legislate upon all the subjects included in it. The inclusion of certain subjects, e.g., Defence and External Affairs, was not specifically considered, since these subjects in particular, though not exclusively, raise the question of the relations between the Executive in India and the Crown—a matter not within the sub-Committee's terms of reference. It is of the essence of a Federal constitution that the enactments of the Federal Legislature acting within its legal scope should have full force and effect throughout all units comprised in the Federation.

9. Provision should be made by some constitutional procedure for additions from time to time to the list of Federal subjects.

10. In relation to Federal subjects a distinction is to be drawn between policy and legislation on the one hand and administration on the other. In some Federal systems there is a complete separation between Federal and State Agency in the administrative as well as the legislative sphere, but in others the administration is entrusted, subject to certain Federal rights of inspection, etc., to the State authorities. The choice is a matter of convenience rather than of principle, depending upon conditions existing at the time of federation and the practical advantage or disadvantage of disturbing the *status quo*. For a variety of reasons there are cases in which States may desire to retain, in those matters in which they agree that the control of policy shall be federal, most of the administrative powers which they exercise at present, but in so far as they continue to exercise those powers, they will do so in conformity with a policy jointly determined and with regulations jointly formulated. Provided that the conditions for a harmonious evolution are established, it is an advantage that there should be a minimum of disturbance in the practical arrangements which already operate.

11. The precise delimitation of the functions of the Federal and State Governments respectively in these spheres will be a matter for settlement in respect of each subject by negotiation.

12. The sub-Committee are strongly of opinion that there should be only a single Legislature to deal with Federal subjects proper and with any subjects which cannot at present be either federalised or completely provincialised. Such a Legislature will no doubt contain representatives of units of the Federation which will not be concerned with some of the subjects with which it deals. But the partial acceptance of this anomaly is preferable to the difficulties and complications involved in any expedient for completely avoiding it, such as the creation of a separate British Indian Legislature with a separate Executive. How to deal with this anomaly will have to be considered at a later stage.

### Sub-Committee No. 1. (Federal Structure)

SECOND REPORT, PRESENTED AT THE MEETING OF THE COMMITTEE OF THE WHOLE CONFERENCE HELD ON 15TH JANUARY, 1931.

1. *Introductory*.—The sub-Committee consisted of the following members :—

*British Delegations* :—

The Lord Chancellor (*Chairman*); Mr. Lees Smith, M. P.; The Earl Peel; The Right Hon. Sir Samuel Hoare, Bart., M. P.; The Marquess of Reading; The Marquess of Lothian.

*Indian States Delegation* :—

H. H. The Maharaja of Bikaner; H. H. The Nawab of Bhopal; Nawab Sir Muhammad Akbar Hydari, Hyderabad; Sir Mirza M. Ismail, Mysore; Colonel Haksar, Special Organisation, Chamber of Princes.

*British India Delegation* :—

The Right Hon. Srinivasa Sastri, Madras; Sir C. P. Ramaswami Aiyar, Madras; Diwan Bahadur Ramaswami Mudaliyar, Madras; Mr. Jayakar, Bombay; Mr. M. A. Jinnah, Bombay; Sir Tej Bahadur Sapru, United Provinces; Mr. T. F. Gavin Jones, United Provinces; Sir Muhammad Shafi, Punjab; Sardar Sahib Ujjal Singh, Punjab; Sir Sayed Sultan Ahmed, Bihar and Orissa.



In addition, Sir B. N. Mitra attended most of the meetings of the sub-Committee and gave it the benefit of his advice and assistance.

2. It must be clearly understood that although agreement has been reached by a majority of the sub-Committee on many important matters, such agreement is only provincial, and every member followed the example of Lord Reading, who said that the understanding had been from the outset that it would be open to all members when they came to consider the complete proposals for the Federal constitution, to modify or change any provisional assent they might have hitherto given. Every member of the sub-Committee reserves to himself the right of modifying his opinion before the final picture is completed. This is the attitude of British and Indian members alike. Over and above that, upon the basic assumption set out in paragraph 8, Lord Peel and Sir Samuel Hoare, with the information at their disposal and with so many questions still undecided, are unconvinced that the kind of Executive envisaged in the Report can be successfully adapted to the special conditions of an All India Federation. They, therefore, desire to see further explored methods for increasing Indian control over the Federal Government that are better suited to All India needs than those founded upon British precedents. Apart from these, Lord Peel and Sir Samuel Hoare are not satisfied that the safeguards recommended for securing Imperial obligations will prove effective and, in particular, they fear that the financial proposals outlined in paragraphs 18 to 22 inclusive will disturb the confidence of the commercial classes and impair the stability of Indian credit. They wish, however, to place on record their appreciation of the progress that has been made in the elucidation of a contentious and difficult problem, and their readiness to co-operate with sympathetic and unprejudiced minds in its further investigation.

Upon the question of finance, Indian opinion was that even the safeguards set out in the Report went too far, especially those giving special powers to the Governor-General.

3. The vexed Hindu-Muslim question was referred to by Sir Muhammad Shafi on behalf of the Muslim Delegation, and he made it clear that as far as he was concerned he could not consent finally to frame any constitution unless the Hindu Muslim question was settled. To this view Mr. Jinnah gave his adherence, on the ground that no constitution would work unless it embodied provisions which gave a sense of security to the Muslims and other minorities. He further objected to some details of the Report. Other Delegates, again, stated that their final opinion upon details was not yet formed, and that they desired, before they came to conclusion, to ascertain public opinion upon such details, both in India and in England.

4. The Indian States do not desire either to discuss or vote upon questions which concern British India alone, and are of opinion that these questions should be definitely excluded. Nor do the Indian States contemplate that any question of paramountcy will come at any time within the purview of the Federal Government.

The Sub-Committee publish the Report subject to these reservations.

5. In their interim Report of 12th December, the sub-Committee indicated their view of the component elements of the Federation, which is contemplated as the future polity for India, and recommended that these elements should be represented in both Chambers of a bicameral Federal Legislature. They also put forward a provisional list of the subjects upon which this Legislature should be empowered to pass laws having application throughout all units comprised in the Federation. In a later part of the present Report it will be the duty of the sub-Committee to supplement the provisional recommendations thus made with regard to the competence of the Federal Legislature. There are some matters which, although the Federal Government and Legislature will not at present have jurisdiction in respect of them in the Indian States, will none the less require co-ordination in the areas comprised by the British Indian units of the Federation. These subjects also are indicated in the Appendices referred to in paragraph 37 of this Report. The sub-Committee desire in this connection to emphasise once more the conviction, to which they gave expression in paragraph 12 of their previous Report, that it is the Federal Legislature itself which should perform this co-ordinating function. Their reasons for this view are in part the desire to avoid the inevitable complexities which would arise from setting up a separate authority to deal with subjects not completely federalised, but an even more important reason is that it is, in the sub-Committee's opinion, essential to the Development of the Federal idea that the new constitution should contain within itself facilities for its own development, and that nothing should be done in designing the structure embodying it which would be calculated to hamper the natural evolution of a Greater India.

The further Heads which were referred to the sub-Committee and are now under discussion are:—

(4) *The number of members composing each Chamber of the Federal Legislature, and their distribution among the federating units;*

(5) *The method whereby representatives from British India and from the Indian States are to be chosen; and*

(6) *The constitution, character, powers and responsibilities of the Federal Executive.*

These three Heads the sub-Committee now proceed to discuss.

6. The sub-Committee do not, of course, claim to have evolved in all its details a complete plan for the Federal constitution. They consider that the best service they can render to the Conference is to state certain general principles and record conclusions on certain points with regard to which there appeared to be general or substantial agreement, and then to indicate the lines which further detailed examination on the subject ought, in their view, to follow. Many points have necessarily been left open which will have to be settled later after public opinion both in India and in England has had an opportunity of expressing itself upon them, in order that the completed constitution may be based on the latest measure of public approval in both countries.

#### THE EXECUTIVE

7. The sub-Committee consider that it will be convenient to deal, in the first instance, with the last of the three Heads, namely,

*Head (6). The composition, character, powers and responsibility of the Federal Executive;* since, as was more than once pointed out in the course of their deliberations, the view taken upon these matters may materially affect decisions upon the structure of the Legislature, the nature of its functions and the methods adopted for enabling these functions to be performed.

8. *Responsibility of the Executive.* The Report which follows proceeds on the basic assumption that the constitution will recognise the principle that, subject to certain special provisions more particularly specified hereafter, the responsibility for the Federal Government of India will in future rest upon Indians themselves.

9. *Method of providing for this.*—In the opinion of the sub-Committee the proper method of giving effect to this principle is, following the precedent of all the Dominion constitutions, to provide that executive power and authority shall vest in the Crown, or in the Governor-General as representing the Crown, and that there shall be a Council of Ministers appointed by the Governor-General and holding office at his pleasure to aid and advise him. The Governor-General's Instrument of Instructions will then direct him to appoint as his Ministers those persons who command the confidence of the Legislature, and the Governor general, in complying with this direction, will, of course, follow the convention firmly established in constitutional practice throughout the British Commonwealth of inviting one Minister to form a Government and requesting him to submit a list of his proposed colleagues.

10. *Definition of Responsibility.*—The Governor-General, having thus chosen as his Ministers persons who possess the confidence of the Legislature, it follows that they will retain office only so long as they retain that confidence. This is what the sub-Committee understand by the responsibility of Government to Legislature, in the sense in which that expression is used throughout the British Commonwealth. The expression also implies in their view that the ministry are responsible collectively and not as individuals, and that they stand or fall together.

11. *Safeguards.*—It is, however, admitted that this broad statement of the principle of responsible government at the Centre, which will be the ultimate achievement of the constitution now to be framed, requires some qualification. There was general agreement in the sub-Committee that the assumption by India of all the powers and responsibility which have hitherto rested on Parliament cannot be made at one step and that, during a period of transition—

(i) The Governor-General shall be responsible for defence and External Relations (including relations with the Indian States outside the federal sphere) and that

(ii) in certain situations, hereafter specified, which may arise outside the sphere of those subjects, the Governor-General must be at liberty to act on his own responsibility, and must be given the powers necessary to implement his decisions.

12. *Governor-General's advisers on reserved subjects.*—It was generally agreed that the presence of a person occupying the position of a Minister would be necessary to express the views of the Governor-General on Defence matters in the Legislature, since these will impinge upon strictly federal matters, the same is true of External Relations but there was not an equal measure of agreement with regard to the appointment of a person to represent the Viceroy in this latter subject. It is clear, however, that the Governor-General must be at liberty to select as his representatives in the reserved sphere any persons whom he may himself choose as best fitted for the purpose, and that on appointment they would, if holding Ministerial portfolios, acquire the right like other Ministers of audience in either Chamber of the Legislature. The suggestion was pressed that any persons so appointed should be regarded as ordinary members of the Council of Ministers, notwithstanding that they would be responsible to the Governor-General and not the Legislature, and that they should be regarded as liable to dismissal (though they would remain eligible for re-appointment by the Governor-General) with the rest of their colleagues. It is difficult, however, to see how this position could be reconciled with the principle of the collective responsibility of Ministers, and the sub-Committee find themselves unable to come to any definite conclusions on the matter, though they are of opinion that it merits much more careful examination than they have, in the time at their disposal, been able to give to it.

13. *Position of the Governor-General in relation to his Cabinet.*—With the subject is to some degree involved the question of whether the Governor-General should himself preside over the meetings of Ministers. In the view of the sub-Committee no hard and fast rule can be laid down. It is clear that, especially in the transition period, occasions may often arise in which his presence would be desirable, and indeed, in certain contingencies, necessary. In these circumstances, it appears to the sub-Committee that the better course would be to provide in his instructions that he shall preside when he thinks it desirable to do so leaving the matter to his own discretion and good sense. It is, however, essential that the Governor-General shall be kept at all times fully informed of the state of public affairs and have the right to call for any papers or information which are at his Ministers' disposal.

14. *Governor-General's powers in relation to reserved subjects.*—It follows from the fact that the Governor-General will be himself responsible for the administration of the reserved subjects described above, that he should not be depended for the supply required for them upon the assent of the Legislature, and that the annual supply for their service should be treated along with other matters to be presently specified, in a manner analogous to the Consolidated Fund Charges in the United Kingdom. The budget allotment would be settled upon a contract basis for a term of years. It would further be necessary to empower the Governor-General in the last resort to take such steps as may be necessary to ensure that the funds required for the reserved subjects are forthcoming, and also to secure emergency supply for these subjects in excess of the contract budget (e.g., in connection with a sudden outbreak of hostilities on the Frontier.) It follows that he should be empowered to secure the enactment of such legislative measures as may be essential for the discharge of his responsibility for these subjects.

15. The sub-Committee anticipate that in the event of its becoming necessary to use these powers the Governor-General would not ordinarily do so without consulting his Ministers, even though the responsibility for any action taken will be his and not theirs.

16. *Governor-General's special powers.*—With regard to subjects in the administration of which the Governor-General would normally act on the advice of his Ministers, it was generally agreed that arrangements must be made whereby in the last resort the peace and tranquillity of any part of the country must be secured, serious prejudice to the interests of any section of the population must be avoided and members of the Public Services must be secured in any rights guaranteed to them by the constitution. It was further agreed that for these purposes the Governor-General must be empowered to act in responsibility to Parliament and to implement his decisions if occasion so demands by requiring appropriation of revenue to be made, or by legislative enactment.

17. *Use of the Governor-General's special powers.*—Stress was laid in some quarters of the sub-committee on the necessity of so defining the use of these powers that they should not be brought into play in derogation of the responsibility of

Ministers, for the purpose of day-to-day administration. It is obvious that the Governor-General would consider his relations with his Ministers and the Legislature before making use of these powers. He will have every inducement to stay his hand as long as possible and to be slow to use his own powers in such a way as to enable his Ministers to cast upon him a responsibility which is properly theirs.

18. *Finance, Special provisions.*—In the sphere of Finance, the sub-Committee regard it as a fundamental condition of the success of the new constitution that no room should be left for doubts as to the ability of India to maintain her financial stability and credit, both at home and abroad. It would therefore be necessary to reserve to the Governor-General in regard to budgetary arrangements and borrowing such essential powers as would enable him to intervene if methods were being pursued which would, in his opinion, seriously prejudice the credit of India in the money markets of the world. The sub-Committee recommend, with a view to ensuring confidence in the management of Indian credit and currency, that efforts should be made to establish on sure foundations and free from any political influence, as early as may be found possible, a Reserve Bank, which will be entrusted with the management of the currency and exchange. With the same object again, provision should be made requiring the Governor-General's previous sanction to the introduction of a Bill to amend the Paper Currency or Coinage Acts on the lines of Section 67 of the Government of India Act. They are further agreed that the service of loans, with adequate provision for redemption, by Sinking Funds or otherwise and the salaries and pensions of persons appointed on guarantees given by the Secretary of State, should be secured, with the supply required for the Reserved Departments, as Consolidated Fund Charges.

19. With these limitations the sub-Committee do not contemplate any differentiation between the position of the Finance Minister and that of any other Minister responsible to the Legislature, and in regard to taxation, fiscal policy and expenditure on objects other than those under the Governor-General's control, he would be responsible only to the Legislature. In this connection the sub-Committee take note of the proposal that a Statutory Railway Authority should be established, and are of opinion that this should be done if after expert examination this course seems desirable.

20. The sub-Committee recognise that it may be difficult in existing conditions to set up a Reserve Bank of sufficient strength and equipped with the necessary gold and sterling reserves immediately, and that, therefore, until this has been done some special provisions will be found necessary to secure to the Governor-General adequate control over monetary policy and currency.

21. *Governor-General's ordinary powers.*—The sub-Committee assume that in addition to the special powers indicated above the Governor-General will continue to have, as at present, the right of refusing his assent to legislative measure, and of returning a Bill for reconsideration, and, subject to any Instructions issued to the Governor-General, that the existing powers of reservation and disallowance will remain.

22. *Bills affecting religion and Commercial discrimination.*—The question whether Bills relating to such matters as the religion or religious rites and usages of any class of the community should require the Governor-General's previous sanction to introduction will require consideration, as will also the question of discrimination between different sections of the community in matters of trade and commerce. There was general agreement that in these matters the principle of equality of treatment ought to be established, and various methods were suggested for the purpose. The sub-Committee content themselves, however, with saying that it is one which should be further examined and discussed in consultation with the various interests concerned.

23. *Breakdown of Constitution.*—In the event of a situation unhappily arising in which persistent and concerted action has succeeded in making the constitution unworkable, adequate powers will have to be vested in the Governor-General for the purpose of enabling the King's Government to be carried on.

#### THE LEGISLATURE—STRUCTURE AND COMPOSITION

24. Such being their views as to the character and responsibility of the Executive, the sub-Committee are now in a position to consider in relation to these views—

(4) the number of members composing each Chamber of the Federal Legislature; and their distribution among the federating units: and

(5) the method whereby the representatives from British India and from the Indian States are to be chosen.

25. *General Principles.*—The general aim of Federal constitutions has been to provide one legislative chamber which represents primarily all the federating units as such, often on a basis of equal representation for each unit, and a lower chamber which represents, primarily, the population of the whole federal area, and in applying this plan, constitution-makers have commonly provided that the representatives of the federating units in the distinctively federal chamber shall be chosen by the Government or Legislatures of those units while the representatives of the population of the federal area shall be returned by some more popular form of election: it has commonly been provided further that the distinctively federal chamber should be the smaller of the two. But India's own practical needs and conditions must be the governing factors, and no constitution, however theoretically perfect, and however closely modelled upon precedents adopted elsewhere, is likely to survive the tests of experience unless it conforms to the needs and genius of the country which adopts it, and unless it is capable of adaptation and modification as the character of these needs is proved in the working. To meet these needs the federal organisation must be conceived not as a rivalry of conflicting elements, but as a partnership for the devising and efficient application by common consent of policies required in the common interest. For such a partnership the stability of the Federal Government is of the first importance.

26. *The Upper Chamber.*—The discussion which took place in the sub-Committee on Heads 4 and 5 proceeded without any prior decision upon the all important question of the relations between, and the respective powers of, the two chambers: and it may well be that some of the opinions now prominently expressed will require revision. But proceeding simply on the basis that there will be two Chambers, the Upper smaller in size than the Lower, and without any relations of one to the other, the balance of opinion was to the effect that the Upper Chamber—which might be described as the Senate—of the Federal Legislature should be a small body, of from 100 to 150 members, whose qualifications should be such as will ensure that it is a body of weight, experience and character. It was thought that this object might be secured by prescribing for the candidature of the British India Members qualifications similar to those now in force for the Council of State: and the sub-Committee have no doubt that the Rulers of the Indian States, in selecting their representatives, will ensure that they are persons of similar standing.

*Method of election to Upper Chamber.*—The sub-Committee are almost unanimously of opinion that the British Indian members of the Senate should be elected by the provincial Legislatures, by the single transferable vote.

27. *Life of the Upper Chamber.*—The Senate it should not be subject to dissolution like the Lower House, but a fixed proportion of its members would retire and be placed (or re-elected as the case may be) at regular periods.

28. *Distribution of Seats in Upper Chamber.*—As regards the distribution of seats in the Senate between the States and British India respectively the sub-Committee have to report a difference of view. The States representatives on the sub-Committee pressed strongly for equality of distribution as between the States and British India. The British Indian representatives, on the other hand, were disposed to claim, on such grounds as area and population, a preponderation of seats for British India: but though opinions differed as to the precise degree of "weightage" to be conceded to the States, the sub-Committee are unanimous that some "weightage" must be given, and that a distribution of seats as between the States and British India on a strict population ratio would neither be defensible in theory nor desirable in practice. The sub-Committee trust that if the Conference fails to reach unanimity on this point, a satisfactory solution may yet be found as the result of discussion and accommodation hereafter.

29. *Distribution of Seats in Upper Chamber in Provinces.*—Granted a solution of this question, it has still to be considered how the seats available to the States and British India respectively are to be distributed amongst the individual units of each class. So far as the States are concerned, this must clearly be a matter for agreement by their Rulers in consultation between themselves and, if necessary, with the Viceroy. Difficult problems of grouping are involved, but these matters are out-

side the scope of the Conference. As regards the Provinces, precedents of other Federal constitutions could no doubt be cited in favour of complete equality as between Province and Province, and there was some opinion in the sub-Committee in favour of this plan. But while the opportunity should no doubt be taken for departing from the traditional appointment as between Province and Province which has survived in the Chamber of the existing Indian Legislature, the sub-Committee are doubtful whether an agreement which gave, for instance, to Assam, with its  $7\frac{1}{2}$  millions of inhabitants, and Bengal with its  $16\frac{1}{2}$  millions, an equal voice in the councils of Nation, would commend itself to general public opinion. On the whole the sub-Committee would be disposed to regard a distribution as between Province and Province on population ratio as the most convenient and satisfactory agreement.

30. *The Lower Chamber - Size.*—The trend of opinion as to the size of the Lower Chamber was that it should consist of approximately 300 members, thus providing roughly one representative for each million of the inhabitants of India. On the other hand the view was strongly expressed that the requirements of efficiency would not be met if the Chamber were to exceed 200 as a maximum. The sub-Committee as a whole recognise the force of these considerations and also of the desire for a Chamber of sufficient size to afford a reasonable approach to adequate representation of the population. But since no real approach to this latter ideal could be secured without enlarging the Legislature to an undue extent, the sub-Committee think that having regard to the great importance which must be attached to efficiency of working, 250 should be adopted as the number of seats to be provided in the Lower Chamber.

31. *Distribution of Seats in the Lower Chamber.*—In the Lower Chamber the Indian States Delegation do not claim, as they do in the Senate, equality of representation with British India, but here also they claim some greater representation than they would obtain on a strict population ratio. The British Indian representatives on the sub-Committee were not, however, disposed to contemplate a distribution as between themselves and the States in this Chamber on any other basis than that of population. On this basis approximately 76 per cent of the seats would be assigned to British India and 24 per cent to the States. But while the latter view must be recorded as that of the majority of the sub-Committee, a substantial minority would regard so great a disparity between the two classes of units as inconsistent with and inimical to the ideal which the Conference has set before itself, and the minority wish strongly to urge upon their colleagues the desirability of subordinating theory to expediency in the interests of goodwill. No Conference can hope to bear fruit unless its members approach their task in a spirit of accommodation and accommodation in this matter is, they are confident, not beyond the reach of Indian statesmanship.

The question of the respective powers of the two Chambers, which has been touched upon in para. 26 has also an obvious bearing on the matter.

32. *Method of election to Lower Chamber.*—Here again the sub-Committee regret that they are unable to record a unanimous view. The British India representatives almost without exception favour direct election by constituencies arranged on a plan generally similar to that of the "general constituencies" for the existing Legislative Assembly. They maintain that this method of election has not proved in practice inconvenient or unworkable, that such inconvenience as it has hitherto presented will be diminished with the increase which they contemplate in the number of seats available and the consequent decrease in the size of constituencies, that ten years' experience has firmly established it in popular favour, and that resort to any method of indirect election would not be accepted by Indian public opinion. Other members of the sub-Committee are unable to contemplate as a fitting repository of power and responsibility a Chamber whose members would have so exiguous a link between themselves and the population of the areas they would purport to represent as would be provided by any system of direct election. Assuming for the sake of argument that as many 200 seats were available for British Indian representatives, they note that the average size of a constituency would be some 4,000 square miles, and that if due allowance is made for the comparatively small areas of the urban constituencies, the general average would be even higher. They note that the Franchise sub-Committee have refrained from making any recommendation on the franchise for the Federal Legislature: consequently they cannot bring themselves to regard as popular representation according to the accepted canons of parliamentary government a system which provides for

the "election" of members by an average number of some 5,000 electors scattered over an average area of some 4,000 square miles, and this difficulty would not be removed by an increase in the average number of electors by a lowering of the franchise; for an increase in the number of the voters in such constituencies would merely increase the difficulties of establishing contact between the candidate and the voter. But apart from these practical difficulties, some members of the sub-Committee feel strongly that, in the geographical conditions of India, any system of direct election would seriously prejudice the success of the Federal ideal. In their view it is of the utmost importance that the tie between the Centre and the units should be as closely knit as possible, and that it should be a tie of natural affinity of outlook and interest and capable of counteracting the centrifugal tendencies which, but for such a counterpoise, will be liable to develop in the Provinces from the increased autonomy now in prospect. In the opinion of those who hold this view the only satisfactory basis for representation in either Chamber of the Federal Legislature is election by the Legislatures of the Provinces. This need not involve the mere reproduction of the Lower Chamber on a smaller scale, if, as is suggested in this Report, special qualifications are prescribed for membership of the Senate. But if this plan is not adopted, and the view prevails that the members of the Assembly should be chosen to represent the populations of the units rather than their Governments or Legislatures, those members of the sub-Committee who are opposed to direction desire to point out that it is not necessary consequence of a decision in this sense that the populations of the areas should elect their representatives directly. Various devices are known to constitution-makers as alternatives to direct election, and they would strongly urge that every possible alternative should be explored before a final decision is taken.

33. *Life of the Lower Chamber.*—The sub-Committee are of opinion that the term of the Lower Chamber should be five years, unless sooner dissolved by the Governor-General.

34. *Representation of special interests and of the Crown in Federal Legislature.*—Two further points remain to be mentioned in regard to the composition of the Federal Legislature. Opinion was unanimous in the sub-Committee that, subject to any report of the Minorities sub-Committee, provision should be made for representation, possibly in both Chambers, and certainly in the Lower Chamber of certain special interests, namely, the Depressed Classes, Indian Christians, Europeans, Anglo-Indians, Landlords, Commerce (European and Indian) and Labour. Secondly, in their interim Report, the sub-Committee expressed the view that so long as there are any reserved subjects the Crown should be represented in both Chambers. While the sub-Committee unanimously maintain that recommendation, further discussion has disclosed a difference of view as to the functions of the Crown nominees, and as to their numbers. Some members of the sub-Committee consider that their attendance should be solely for the purpose of explaining the Governor-General's policy on his behalf, and that they should not exercise the right to vote in divisions. Others are of opinion that these persons should be fully members of the Legislature. Some members of the sub-Committee consider again that the only nominees of the Crown should be the principal advisers of the Governor-General in the administration of the reserved subjects, while others think that the Governor-General should be empowered to nominate a specified number of persons, not exceeding, say, 10, to each Chamber.

35. *Means of securing stability for the Executive.* The relation of the two Chambers to one another has been touched on above but a particular aspect of the relation of the Chambers to the Executive was a subject of discussion in the sub-Committee and should be mentioned here. For the purpose of securing greater stability to the Executive the suggestion was made and found a large measure of support, that Ministers should not be compelled to resign save in the event of a vote of no confidence passed by a majority of at least two-thirds of the two Chambers sitting together. Ministers against whom less than two thirds of the votes have been cast on a motion of no confidence would not, however, for that reason alone continue to enjoy to any greater extent than before the confidence of the Legislature who would be still able in other ways to make effective their want of confidence. But the sub-Committee are of opinion that some means should be devised whereby, in the interests of stability, an adverse vote should not on every occasion necessarily involve the resignation of the Ministry, and that the subject should be further explored.

35. *Position of States' representatives in relation to matters affecting British India only.* Since the functions of the Federal Government will extend beyond the range of federal subjects and will embrace those matters which are strictly the concern of British India alone, it has to be decided whether the States' representatives in the Federal Legislature should take any part in the debates and decisions on this latter class of matters with which *ex hypothesi* they will not be directly concerned. There is much to be said in favour of treating all members of the Federal Legislature as entitled and empowered to contribute their share towards the decision of all matters within the range of the Legislature's duties. It would be clearly impossible, so far as the Executive is concerned (which will, like the Legislature, be composed of representatives of both States and British India) to differentiate the functions of Ministers in such a way as to confine the responsibilities of States' representatives to Federal matters; no workable scheme could be devised with the object which would not cut at the root of the principle of collective responsibility in the Cabinet. For this reason the States desire—with the general assent of the sub-Committee—that their representatives in the Legislature should play their part equally with their British Indian colleagues in expressing the decision of the Legislature on any question which involves the existence of the Ministry, even if the matter which has given rise to the question of confidence is one which primarily affects British India only. At the same time Their Highnesses would prefer that the States' representatives should take no part in the decision of matters which, being outside the range of federal subjects, have no direct interest to the States. It would no doubt be possible so to arrange business in the Legislature that that Bills or Budget demands of this character should be dealt with either exclusively or in the Committee stage by a Committee (analogous to the Scottish Committee of the House of Commons) consisting of the British Indian representatives alone. Some members of the sub-Committee think, however, that it would be unfortunate to initiate such a system of differentiation and that, whatever conventions might be observed it would be undesirable in terms to deprive the Legislature of the contribution which any of its members might be able to make on any matter within the Legislature's purview and they think that it would be found in practice difficult, if not impossible, to classify a given matter as being one in which the States have no interest or concern direct or indirect. The sub-Committee recommended, however, that the matter be further explored.

36. *Competence of the Federal Legislature.*—With reference to paragraph 5 of this Report, the reports of two sub-Committees are appended to this Report in which recommendations have been made as to the classification as federal, central or provincial, of all the subjects which are at present within the competence of the Indian Legislature. The sub-Committee endorse generally these recommendations, though they recognise that the further expert examination which the matter will undoubtedly require may show the necessity of some modification and adjustment. It will be observed that, apart from the specific recommendations made with regard to the treatment of the several items in the list, there is a general recommendation that legislative co-ordination required in respect of certain provincial subjects, or aspects of provincial subjects, should no longer be secured by the process of submitting Provincial Bills on those subjects for the previous sanction of the Governor-General, but firstly by scheduling certain existing Acts (and the same process would, of course, be applied to certain Acts of the Federal Legislature in the future) as being incapable of amendment in their application to a Province by the Provincial Legislature without the previous sanction of the Governor-General and, secondly by granting concurrent powers of legislation to the Federal Legislature on certain aspects of special provincial subjects. It would be necessary to include a provision that any Provincial Act relating to these subjects which is repugnant to a Federal Act is, to the extent of the repugnancy, to be void.

37. *Residual powers.*—The sub-Committee draw attention to the fact that, however carefully the lists of Federal, Central and Provincial subjects are drawn up, there is bound to be a residue of subjects not included in any of them. Whether these residuary powers of legislation are to rest with the Federal Government or with the Provinces is a matter on which the sub-Committee have come to no conclusion. Its great importance is, however, manifest, and it will need most careful consideration at a later stage.

38. *Control by the Federal Government over Provincial Governments.*—This topic leads naturally to the question of the powers of control to be exercised by the



Federal Executive over the Provincial Executive and their nature and extent. It goes without saying that within the range of Federal subjects, the Federal Executive must have authority to ensure that Federal Acts are duly executed in the Provinces; it also goes without saying that within States' territory there can be no question of the exercise of any such authority, direct or indirect outside the strict range of Federal subjects. But it seems equally evident that in matters affecting more than one Province of British India, even where they relate to subjects classified as Provincial, there must be some authority capable of resolving disputes of co-ordinating policy when uniformity of policy is in the interests of India as a whole, and the sub-Committee consider that the constitution should recognise this authority as vesting in the Federal Government and should make suitable provision for its exercise.

## Sub-Committee No. II (Provincial Constitution)

REPORT PRESENTED AT THIRD MEETING OF THE COMMITTEE OF THE  
WHOLE CONFERENCE, HELD ON 16TH DECEMBER, 1930.

1. The following report, subject to adjustment to the complete constitution, is submitted by sub-Committee No. II.

2. The sub-Committee was appointed to consider two heads of the Lord Chancellor's list, namely

(a) the powers of the provincial legislatures,

(b) The constitution, character, powers, and responsibilities of the Provincial executives.

3. The sub-Committee met on the 4th, 5th, 8th, 9th, and 15th, December. The proceedings on the first and second days comprised a general discussion of the problem. On the succeeding days particular issues were separately considered and examined. The Chairman ruled that the size, lifetime, number of chambers of the provincial legislatures, and the question of the official bloc might also be discussed as germane to the sub-Committee's Terms of Reference.

4. *The Abolition of Dyarchy.*—The sub-Committee is agreed that in the Governor's provinces the existing system of dyarchy should be abolished and that all provincial subjects, including the portfolio of law and order, should be administered in responsibility to the provincial legislatures.

5. *The Composition of the Provincial Executives.*—(a) *Joint Responsibility.*—The sub-Committee recommends that there should be unitary executives; and that the individual Ministers composing the executive should be jointly responsible to the legislature.

(Raja Narendra Nath awaits the report of the Minority sub-Committee before agreeing finally to joint responsibility.)

(d) *The appointment of Ministers.*—The responsibility for appointing Ministers will rest with the Governor. The sub-Committee is of opinion that in the discharge of that function the Governor should ordinarily summon the member possessing the largest following in the legislature, and invite him to select the Ministers and submit their names for approval. The Ministers should ordinarily be drawn from among the elected members of the provincial legislature. In the event of the appointment of a non-elected non-official, such person should be required by statute to secure election to the legislature (and if the legislature be bicameral, to either chamber) within a prescribed period not exceeding six months, but subject to this limit he may be nominated by the Governor to be a member of the legislature. The sub-Committee is of opinion that there should be no discretion to permit the appointment of an official to the Cabinet.

(The Marquess of Zetland and Sir Robert Hamilton dissent from the last two sentences.)

(c) *Group or communal representation in the Cabinet.*—The sub-Committee considers it a matter of practical importance to the success of the new constitutions that important minority interests should be adequately recognised in the formation of

the provincial executives. An obligation to endeavour to secure such representation should be expressed in the Instrument of Instructions to the Governor.

(*Mr. Chintamani dissents from the last sentence.*)

6. *Powers of the Governor.*—(a) *In regard to legislature.* (1) The Governor shall have power to dissolve the legislature; he may assent or withhold assent to legislation, or reserve it for the consideration of the Governor-General.

(2) It shall not be lawful without the previous sanction of the Governor to introduce any legislation,

(i) affecting the religion or religious rites of any class or community in the Province;

(ii) regulating any subject declared under the constitution to be a federal or central subject;

(iii) any measure repealing or affecting any Act of the federal or central legislature or Ordinance made by the Governor-General.

(b) *Conduct of Business.*—(1) The Governor shall, with the knowledge of his Ministers, be placed in possession of such information as may be needed by him for the discharge of duties imposed upon him by the constitution.

(2) In the opinion of the sub-Committee, the Chief Minister should preside over meetings of the Cabinet, but on any special occasion the Governor may preside.

(c) *Relations of the Governor to his Ministers.*—(1) The Ministers shall hold office during the pleasure of the Governor.

(2) Sub-section 3 of section 52 of the Government of India Act, which confers a general power on the Governor to refuse to be guided by the advice of his Ministers when he sees sufficient cause to dissent from their opinion shall no longer operate. The Governor's power to direct that action should be taken otherwise than in accordance with the advice of the Ministers, shall be restricted to the discharge of the specified duties imposed on him by the constitution. These duties shall include the protection of minorities and the safeguarding of the safety and tranquillity of the Province.

(d) *Special and Emergency powers.* There shall be vested in the Governor (1) suitable powers in regard to legislation and finance necessary for the discharge of the specified duties imposed upon him by the constitution and (2) suitable emergency powers to carry on the administration in the event of a breakdown of government or the constitution. The powers under (2) shall not remain in operation for more than six months without the approval of Parliament expressed by a resolution of both Houses.

The sub-Committee suggests a rider that in their opinion it is desirable that the present rigid convention in Provinces other than the Presidencies of appointing Governors drawn from the Indian Civil Service should be relaxed. (There was some support for the substitution of the word "discontinued" for the word "relaxed".)

(*Sir Chintamal Satalwad, Sir Conasji Jehangir and Messrs. Ramachandra Rao, Barooah, Chintamani, Joshi, Paul and Ambedkar dissent from the sub-Committee's conclusions on the Powers of the Governor.*)

7. *The Composition of the Provincial Legislatures.*—(a) *Their size.*—The sub-Committee anticipates that to meet the conditions of the new constitutions and electorates, the provincial legislatures will require to be enlarged on the basis of ascertained needs, regard being had to the numbers and character of the constituencies.

(b) *Their lifetime.*—In the opinion of the sub-Committee the normal lifetime of the provincial legislatures should not exceed five years.

(c) *The official bloc.*—With the possible exception of a strictly limited proportion of non-officials who may in some Provinces require to be nominated by the Governor to secure the representation of groups unable to return their own members through the polls, the new provincial legislatures should consist wholly of elected members, and the official bloc should disappear.

(d) *Second Chambers.*—The existing provincial legislatures are unicameral. The sub-Committee recognises that conditions in some Provinces make it desirable that the provincial legislatures should be bicameral; but the new constitution of any Province other than Bengal, the United Provinces and Bihar and Orissa, where

opinion in favour of a second chamber has already been expressed should not be taken until opinion in the Province definitely favours this course.

[ The reference to the Provinces of Bengal, the United Provinces and Bihar and Orissa was inserted at the wish of a majority of the sub-Committee ]

#### *Note*

(1) The question of the administration of the police was raised by Lord Zetland under para. 4, and it was decided that this should be left for the report of the Services sub-Committee when set up.

(2) The sub-Committee did not consider the constitution of the North West Frontier Province since it was understood that a special sub-Committee would be set up to deal with this subject.

The following Delegates were members of the sub-Committee :—

Mr. A. Henderson (*Chairman*) ; Lord Zetland ; Sir Robert Hamilton ; (H. H. The Maharaja of Nawanganar ; Sir Prabhashankar Pattani ; Rao Bahadur Krishnama Chari, *Holding a watching brief*) ; Sir Ghulam Hussain Hidayatullah ; Mr. Jadhav ; Sir Chimanlal Setalvad ; Sir Cowasji Jehangir ; Sir Shah Nawaz Bhutto ; Sir Provash Chunder Mitter ; Mr. Fazl-ul-Huq, Raja of Barakmendi ; Mr. Rama-chandra Rao ; Sir A. P. Patro ; Nawab Sir Ahmad Saad Khan ; Mr. Chintamani ; Mr. Tambe ; Mr. Zafarullah Khan ; Raja Narendra Nath ; Sardar Sampuran Singh ; Maharaja of Darbhanga ; Mr. Barooah ; Sir Abdul Qayyum ; Mr. Wood ; Mr. Paul ; Mr. Joshi and Dr. Ambedkar.

-----

### **Sub-Committee No. III (Minorities).**

REPORT PREPARED AT MEETINGS OF THE COMMITTEE OF THE WHOLE  
CONFERENCE, HELD ON 16TH AND 19TH JANUARY, 1931.

(With an amendment passed by the Committee of the whole Conference  
on 19th January, 1931.)

1. The sub-Committee was set up to consider the claims of minorities other than those incidental to the subjects referred to other Committees, and was composed of the following members :—

Prime Minister (*Chairman*) ; Sir W. A. Jowitt ; Lord Peel ; Major Stanley ; Lord Reading ; Mr. Foot ; H. H. The Aga Khan ; Maulana Muhammad Ali ; Dr. Ambedkar ; Sir Shah Nawaz Bhutto (after the death of Maulana Muhammad Ali) ; Sir Hubert Carr ; Mr. Chintamani ; Nawab of Chhatari ; Mr. Fazl-ul-Huq ; Mr. Ghuznavi ; Lieut.-Col. Gidney ; K. B. Hafiz Hidayat Hussain ; Mr. Joshi ; Sir. P. C. Mitter ; Dr. Moonje ; Raja Narendra Nath ; Rao Bahadur Panu ; Selvan ; Sir. A. P. Patro ; Mr. Paul ; Mr. Ramachandra Rao ; Mr. Shiva Rao ; Sir Sultan Ahmed ; Sir M. Shafi ; Sardar Sampuran Singh ; Mr. Sastri ; Sir C. Setalvad ; Sir Phiroze Sohmia ; Dr. Shafiat Ahmed Khan ; Begum Shah Nawaz ; Rao Bahadur Srinivasan ; Mrs. Subbarayan ; Sardar Ujjal Singh ; Mr. Zafarullah Khan ; and Captain Raja Sher Muhammad Khan and Nawab Sir Abdul Qayyum (after the departure of Sir Sultan Ahmed and the Nawab of Chhatari).

2. The sub-Committee felt that the first task to which it should address itself was to have an authoritative statement of claims put in by the representatives of each community with proposals as to how their interests should be safeguarded. Opinion was unanimous that, in order to secure the co-operation of all communities, which is essential to the successful working of responsible Government in India, it was necessary that the new constitution should contain provisions designed to assure communities that their interests would not be prejudiced ; and that it was particularly desirable that some agreement should be come to between the major communities in order to facilitate the consideration of the whole question. Although this was very nearly accomplished, it has not yet succeeded, but the negotiations are to be continued both here and in India.

3. One of the chief proposals brought before the sub-Committee was the inclusion in the constitution of a declaration of fundamental rights safeguarding the cultural and religious life of the various communities and securing to every individual, without discrimination as to race, caste, creed or sex, the free exercise of economic,

social and civil rights. (Mr. Joshi objected to the omission of reference to the economic rights of various communities. Dr. Ambedkar called attention to the necessity of including in the constitution sanctions for the enforcement of the fundamental rights, including a right of redress when they are violated).

4. The possibility was expressed that under certain conditions the election of the Legislatures might be from a general register, but no agreement was come to regarding these conditions.

Whilst it was generally admitted that a system of joint free electorates was in the abstract the most consistent with democratic principles as generally understood, and would be acceptable to the Depressed Classes after a short transitional period provided the franchise was based on adult suffrage, the opinion was expressed that, in view of the distribution of the communities in India and of their unequal economic, social and political effectiveness, there was a real danger that under such a system the representation secured by minorities would be totally inadequate, and that this system would therefore give no communal security.

5. Claims were therefore advanced by various communities that arrangements should be made for communal representation and for fixed proportions of seats. It was also urged that the number of seats reserved for a minority community should in no case be less than its proportion in the population. The methods by which this could be secured were mainly three: (1) nomination, (2) joint electorates with reservation of seats, and (3) separate electorates.

6. Nomination was unanimously deprecated.

7. Joint electorates were proposed, with the proviso that a proportion of seats should be reserved to the communities. Thus a more democratic form would be given to the elections, whilst the purpose of the separate electorate system would be secured. Doubts were expressed that, whilst such a system of election might secure the representation of minorities, it provided no guarantee that the representation would be genuine, but that it might, in its working, mean the nomination or, in any event, the election of minority representatives by the majority communities.

It was pointed out that this was in fact only a form of community representation and had in practice all the objections to the more direct form of community electorates.

8. The discussion made it evident that the demand which remained as the only one which would be generally acceptable was separate electorates. The general objection to this scheme has been subject to much previous discussion in India. It involves what is a very difficult problem for solution, viz., what should be the amount of communal representation in the various Provinces and in the Centre; that, if the whole or practically the whole of the seats in a Legislature are to be assigned to communities, there will be no room for the growth of independent political opinion or of true political parties, and this problem received a serious complication by the demand of the representative of the Depressed Classes that they should be deducted from the Hindu population and be regarded, for electoral purposes, as a separate community.

9. It was suggested that, in order to meet the most obvious objection to the earmarking of seats to communities, only a proportion should be so assigned—say 80 per cent. or 90 per cent.—and that the rest should be filled by open election. This, however, was not regarded by some of the communities as giving them the guarantees they required.

10. The scheme proposed by Maulana Muhammad Ali, a member of the sub-Committee, whose death we deplore, that as far as possible no communal candidate should be elected unless he secured at least 40 per cent. of the votes of his own community and at least 5 or 10 per cent., according to arrangement, of the votes of the other community, was also considered. It was, however, pointed out that such a scheme necessarily involved the maintenance of communal registers, and so was open to objections similar to those urged against separate electorates.

11. No claim for separate electorates or for the reservation of seats in joint electorates was made on behalf of women who should continue to be eligible for election on the same footing as men. But in order to familiarise the public mind with the idea of women taking an active part in political life and to secure their interim representation on the Legislature, it was urged that 5 per cent. of the seats in the first three Councils should be reserved for women and it was suggested that they should be filled by co-option by the elected members voting by proportional representation.

12. There was general agreement with the recommendation of sub-Committee No. II (Provincial Constitution) that the representation on the Provincial Executives of important minority communities was a matter of the greatest practical importance for the successful working of the new constitution, and it was also agreed that, on the same grounds, Muhammadans should be represented on the Federal Executive. On behalf of the smaller minorities a claim was put forward for their representation either individually or collectively, on the Provincial and Federal Executives, or that, if this should be found impossible, in each Cabinet there should be a Minister specially charged with the duty of protecting minority interests.

(Dr. Ambedkar and Sardar Ujjal Singh would add the words "and other important minorities" after the word Muhammadans in line 6.)

The difficulty of working jointly responsible Executives under such a scheme as this was pointed out.

13. As regards the administration, it was agreed that recruitment to both Provincial and Central Services should be entrusted to Public Service Commissions, with instructions to reconcile the claims of the various communities to fair and adequate representation in the Public Services whilst providing for the maintenance of a proper standard of efficiency.

14. On behalf of the British commercial community it was urged that a commercial treaty should be concluded between Great Britain and India, guaranteeing to the British mercantile community trading rights in India equal to those enjoyed by Indian-born subjects of His Majesty on the basis of reciprocal rights to be guaranteed to Indians in the United Kingdom. It was agreed that the existing rights of European community in India in regard to criminal trials should be maintained.

15. The discussion in the sub-Committee has enabled the Delegates to face the difficulties involved in the schemes put up, and though no general agreement has been reached, its necessity has become more apparent than ever.

16. It has also been made clear that the British Government cannot, with any chance of agreement, impose upon the communities an electoral principle which in some feature or other, would be met by their opposition. It was therefore plain that failing an agreement, separate electorates with all their drawbacks and difficulties, would have to be retained as the basis of the electoral arrangements under the new constitution. From this the question of proportions would arise. Under these circumstances, the claims of the Depressed Classes will have to be considered adequately.

17. The sub-Committee, therefore, recommend that the Conference should register an opinion that it was desirable that an agreement upon the claims made to it should be reached, and that the negotiations should be continued between the representatives concerned, with a request that the result of their efforts should be reported to those engaged in the next stage of these negotiations.

18. The Minorities and Depressed Classes were definite in their assertion that they could not consent to any self-governing constitution for India unless their demands were met in a reasonable manner.

### Sub-Committee No. IV. (Burma).

REPORT PRESENTED AT 3RD MEETING OF THE COMMITTEE OF THE WHOLE  
CONFERENCE, ON 16TH JANUARY 1931.

On December 1st the Committee of the whole Conference set up a sub-Committee with the following terms of reference:—

"The Committee of the whole Conference at their meeting on 19th January, 1931, substituted the following for paragraph 14:—

"At the instance of the British commercial community the principle was generally agreed that there should be no discrimination between the rights of the British mercantile community, firms and companies, trading in India and the right of Indian-born subjects, and that an appropriate convention based on reciprocity should be entered into for the purpose of regulating those rights.

It was agreed that the existing rights of the European community in India in regard to criminal trials should be maintained."

"To consider the nature of the conditions which would enable Burma to be separated from British India on equitable terms, and to recommend the best way of securing this end."

The following delegates were selected to serve on this sub-Committee, over which I (Earl Russell) was appointed Chairman :—

Lord Peel : Mr. Foot : Mr. Aung Thin : Mr. Ba Pe : Mr. Ohn Ghine : Mr. de Glanville : Mr. Chintamani : Mr. Srinivasam : Captain Raja Sher Muhammad Khan : Mr. Mody : Mr. Ghuznavi : Sir B. N. Mitra : Sir Hubert Carr.

Mr. Shiva Rao was subsequently selected to take the place of Mr. Chintamani.

The sub-committee met on the 5th, 8th, and 9th December, 1930, and have authorised me to present this Report. The following conclusions were reached :—

(1) The sub-Committee ask His Majesty's Government to make a public announcement that the principle of separation is accepted : and that the prospects of constitutional advance towards responsible Government held out to Burma as part of British India will not be prejudiced by separation.

[Mr. Mody and Mr. Shiva Rao desire it to be recorded that they cannot endorse this recommendation without qualification.]

(2) The sub-Committee are of opinion that the legitimate interests of Indian and other minorities must be safeguarded. They are not in a position to advise as to the particular form of protection these interests require. They consider that when the details of the constitution of Burma are being discussed, the fullest opportunity should be given to all minorities and to the Government of India to represent their views and to state the nature and extent of the safeguards they consider necessary. The sub-Committee consider that adequate attention should be paid to the question of immigration of Indian Labour and that provision should be made for the regulations of the conditions of both the work and life of the immigrants. The sub-Committee also especially stress the importance of there being no discrimination as regards Indians entering Burma.

(3) There must be a financial settlement between India and Burma.

The questions are very difficult and technical, and the sub-Committee consider that they should be dealt with in the manner recommended by the Government of India in paragraph 93 of their Despatch Cmd. 3700.

The sub-Committee also recommend that when the case has been thoroughly explored by the experts of the two Governments, the statements prepared by these experts should be laid before the Standing Finance Committees of the Indian Legislative Assembly and the Burma Legislative Council respectively, and that representatives of these Committees should be associated with the experts in the proceedings of the Arbitral Board.

The sub-Committee also endorse the view expressed by the Government of India in paragraph 86 of their Despatch regarding "the great desirability of adjusting the relations between the two countries in a spirit of reason and mutual accommodation so as to avoid as far as possible the ill effects which might arise from so great a change in long established practice." They venture to express the hope that all negotiations between the two Governments, whether in relation to the financial adjustment or to other matters, will be approached in this spirit.

(4) The sub-Committee recognise that adequate arrangements must be made for defence of Burma after separation, but they consider that the precise nature of these arrangements must be decided in the light of expert military opinion.

(5) The sub-Committee note the fact that arrangements for the taking over of the administration of subjects now classed as Central in the Devolution Rules must be made by the Government of Burma. The sub-Committee recommend that it should be considered whether, subject to the consent of the Government of India and on terms to be arranged, the Government of Burma should continue to make use of certain scientific Services of the Government of India.

(6) The sub-Committee express the hope that it may be found possible to conclude a favourable Trade Convention between India and Burma. They believe that a Trade Convention would benefit both countries, and they think it important that separation should cause a minimum disturbance of the close trade connections that exist between the two countries.

## Sub-Committee No. V. (North West Frontier Province.)

REPORT PRESENTED AT THE MEETING OF THE COMMITTEE OF THE WHOLE

CONFERENCE, HELD ON 16TH JANUARY, 1931.

1. Sub-Committee No. V submits the following report subject to adjustment to the complete constitution.

2. The terms of reference to the sub-Committee were to consider "what modifications, if any, are to be made in the general provincial constitution to suit the special circumstances of the North West Frontier province."

3. The sub-Committee comprised the following members :

Mr. A. Henderson (*Chairman*) ; Lord Russell ; Lord Reading ; Lord Lothian ; Lord Zetland ; Sir Samuel Hoare ; Maulana Muhammad Ali ; Sir Shah Nawaz Bhutto ; Captain Raja Sher Muhammad Khan ; Dr Moome ; Sir B. N. Mitra ; Raja Narendra Nath ; Mr. H. P. Mody ; Sir A. P. Patil ; Nawab Sir Abdul Qayyum Khan ; Sir Muhammad Shafi ; Sardar Sampuran Singh ; Dr Shata at Ahmad Khan ; Mr. C. E. Wood and Mr. Zafrullah Khan.

It held meetings on the 18th and 30th December 1930 and on the 1st January 1931.

4. *The Need for Reform.*—The sub-Committee is unanimous in attaching urgent importance to the need for reform in the North West Frontier Province. It recommends that five administered districts should cease to be as they are at present as centrally administered territory under the direct control of the Government of India and that they should be given the status of a Governor's province subject to such adjustment of detail as local circumstances require and the extent of the All-India interests in the province necessitate.

5. *The Classification of Provincial Subjects.* The sub-Committee recommends that, as in other Governors' provinces, there should be a classification of provincial subjects entrusted to the charge of the provincial government. The precise discrimination of subjects between the Centre and the North West Frontier Province will require careful investigation if necessary, by a specially constituted committee following broadly the lines of the classification in other provinces. Subject to the findings of such a committee the sub-Committee contemplates that the charge of the ordinary civil police in the five administered districts excluding the frontier constabulary will pass to the provincial government of these districts, but in view in particular of the close relation of the province with matters of defence and foreign policy the sub-Committee considers it essential that all matters of All-India importance and all matters connected with the control of the tribal tracts, for instance the frontier constabulary, frontier remissions and allowances, and strategic roads should be excluded from the purview of the provincial government and classed as central subjects. The broad point is that in making the dividing line between central and provincial subjects, regard should be had to the need for classifying as central certain subjects of All-India importance peculiar to the present administration of the North West Frontier Province, which could not properly be entrusted to the provincial legislature.

6. *The Executive.*—The sub-Committee recommends that the Executive should consist of the Governor assisted by the advice of two ministers drawn from the non-official members of the legislature, at least one of whom shall be elected.

The Governor should also function as Agent to the Governor-General for the control of the tribal tracts and the administration of central subjects peculiar to the North West Frontier Province. With these subjects since they will be not provincial but central subjects, the ministers will have no concern. The sub-Committee considers it essential owing to the close inter-relation between the trans-border tracts and the settled districts and in order that All-India interests may be adequately secured—that in addition to possessing all the powers vested in the Governor or a Governor's province, the Governor of the North West Frontier Province should be the effective head of the Provincial administration and should preside over the meetings of his own cabinet.

*Note.* I—Sir Samuel Hoare holds the view that in accordance with the recommendation of the Chief Commissioner of the North West Frontier Province, and Despatch of the Government of India, one of the ministers should be an official.

*Note H.*—Sir B. N. Mitra suggested the words “assisted by the advice of two ministers” in the first sentence of the paragraph.

7. *The Legislature.*—(i) A unicameral legislative Council. The sub-Committee recommends that there should be set up for the five administered districts a single chamber legislative Council with power to pass legislation and vote supply in regard to all subjects that may be classed as provincial. In addition the legislature should possess the usual powers of deliberation and of interpellation.

(ii) Its size. The size of the legislature should be suited to the convenience of constituencies. The sub-Committee contemplates a legislative Council with a probable total membership, elected and nominated, of not more than 10 members.

(iii) Its composition. The sub-Committee considers that the legislature should at the present be composed both of elected and of nominated members and shall not exceed 11 members in a house of 10; and of the nominated members not more than six to eight should be officials.

(iv) The franchise. The sub-Committee suggests that the franchise in the North-West Frontier Province should be examined by the Franchise Committee to be set up to report on the franchise in all provinces.

(v) Minority representation. Subject to such recommendation as the Minorities sub-Committee may make, this sub-Committee considers that if Muslims are given weightage in provinces where they are in a minority, the Hindus and Sikhs in North-West Frontier Province should be given weightage in the legislature of that province. Their representation might be three times the figure to which they would be entitled on a population basis.

8. *The Financial Settlement.*—The sub-Committee is satisfied from the figures placed before it that on subjects which may be expected to be classed as provincial, the province will show a large annual deficit. It follows that the provincial government will require financial assistance from central (or federal) revenues. The Committee suggests that there should be preliminary expert investigation into the allocation of expenditure between central and provincial heads to supply the basis from which the financial subvention from the central (or federal) revenues may be calculated. The sub-Committee apprehends that if the subvention be open to debate annually in the central (or federal) legislature, the substance of provincial autonomy in the North-West Frontier Province may be impaired. It suggests that the difficulty might be met by an agreed convention that each financial assignment should run undisturbed for a period of years.

## Sub-Committee No. VI (Franchise)

REPORT PRESENTED AT THE MEETING OF THE COMMITTEE OF THE WHOLE  
CONFERENCE, HELD ON 16TH JANUARY, 1931.

1. The terms of reference to this sub-Committee were as follows:—

“On what main principles is the Franchise to be based for men and women.”

The following Delegates were selected to serve on the sub-Committee:—

Sir W. A. Jowitt (*Chairman*); Sir P. C. Mitter; Lord Zetland; Mr. Pannir Selvam; Major Stanley; Raja of Parlakimedi; Sir R. Hamilton; Mr. K. T. Paul; Mr. Foot; Mr. Ramchandra Rao; Dr. Ambedkar; Mr. Shiva Rao; Mr. Basu; Sardar Sampuran Mr. Beroiah; Sardar Ujjal Singh; Mr. Chintamani; Sir Chhannalal Setalvad; Mr. Fazl-ul-Huq; Kunwar Bisheshwar Dayal Seth; Mr. Ghuznavi; Sir. Phiroze Sethna; Lieut-Colonel Gidney; Dr. Shafiqul Ahmad Khan; Sir Ghulam Hussain Hidayatullah; Mr. Zafrullah Khan; Begum Shah Nawaz; Mr. Hafiz Hidayat Husain; Mrs. Subbaryan; Mr. B. V. Jadhav; Mr. Srinivasan; Sir Cowasji Jehangir; Mr. S. B. Tambe; Mr. Joshi; Sir Hubert Carr and Dr. Narendra Nath Law.

2. The sub-Committee met on the 19th, 22nd, and 30th of December, 1930 and on the 1st of January, 1931, and have authorised me to present this Report.

3. In our discussion of the franchise principles we have found that they were closely connected with questions which more properly concern the composition of the legislature, the nature of the constituencies, and the qualifications for candidates for election. These points have not been considered in the sub-Committee as they fall outside its terms of reference but we are of opinion that they should be further



examined since the efficacy of any franchise system depends as much on these points as on the qualifications for the franchise.

4. *Extension of the franchise.*—While it was generally held that adult suffrage was the goal which should ultimately be attained, it was agreed that the basis of the franchise could forthwith be broadened and that a large increase was desirable.

Some difference of opinion existed as to the extent to which this was practicable in present circumstances, and it was realised that the sub-Committee had not the necessary material to determine the precise limits of the advance. The Statutory Commission suggested such an increase in the number of electors as would bring that number up to 10 per cent. of the total population. Some of our members thought that an increase to 25 per cent. of the total population was immediately practicable.

We recommend that an expert Franchise Commission should be appointed with instructions to provide for the immediate increase of the electorate so as to enfranchise not less than 10 per cent. of the total population—if that should on a full investigation, be found practicable and desirable.

We recommend that, in addition to providing for this increase, the Commission should consider the introduction of a scheme by which all adults not entitled to a direct vote would be grouped together in primary groups of about 20 or in some other suitable manner, for the election of one representative member from each group, who would be entitled to vote in the Provincial elections either in the same constituencies as the directly qualified voters or in separate constituencies to be formed for them.

(Mr. Joshi, Mr. Shiva Rao, Dr. Ambedkar, Mr. Srinivasan, Mr. K. T. Paul, and Mr. Jadhav regard these proposals as quite inadequate and consider that the basis of the franchise should be broadened if at all by another system).

5. *Uniformity of qualifications for the franchise.*—We recommend that in any given area the franchise qualifications should be the same for all communities, but we desire that the Franchise Commission in making their proposals should bear in mind that the ideal system would as nearly as possible give each community a voting strength proportional to its numbers and that the Commission should so contrive their franchise system as to secure this result in so far as it may be practicable.

[Sardar Ujjal Singh, Sardar Sampuran Singh, Sir Cowasji Jehangir, and Lieut. Colonel Gidney dissent from the latter part of this conclusion.]

6. *Property qualification.*—We consider that there should be a property qualification for the franchise and that in this connection the word "property" should be understood in its widest sense as including not only the ownership of landed property but also the occupation of landed or house property or the receipt of income or wages whether in cash or kind.

7. *Educational qualification.*—We are of opinion that the Franchise Commission should consider the extension of this qualification so as to include service in the Auxiliary and Territorial Forces.

9. *Special franchise qualification for women.*—We observe that under the existing franchise the number of women voters is infinitesimal as compared with that of men. No system of franchise can be considered as satisfactory, or as likely to lead to good government where such a great disparity exists between the voting strength of the two sexes. We do not anticipate that the recommendations we have already made will reduce this disparity, nor do we think that they provide sufficiently for the enfranchisement of women. We therefore agree that special qualification should be prescribed for women but we feel that there is not sufficient material before us to justify an attempt to formulate these special qualifications. We therefore recommend that the Franchise Commission should devote special attention to this question in the light of all the evidence available including the recommendation of the Statutory Commission and the suggestion made in this sub-Committee that the age limit mentioned in the proposals of the Statutory Commission should be lowered from 25 to 21.

[Mr. Joshi, Mr. Shiva Rao, Dr. Ambedkar, and Mr. Srinivasan dissent from the proposals in paragraphs 7, 8 and 9.]

10. *The franchise for special constituencies.*—We are of opinion that the franchise for special constituencies depend essentially on the nature of those constituencies. We are not empowered to consider the later point nor are we in pos-

session of information as to what special constituencies are contemplated. These questions require examination by a competent body. So far as the franchise aspect has been discussed in this sub-Committee a division of opinion has shown itself as to the desirability of permitting a voter qualified in both a general and a special constituency to vote in both.

11. *Urban and rural enfranchisement.*—We are of opinion that the Franchise Commission should endeavour so to adjust the franchise qualifications as to remove in those areas where it may exist any marked disparity in the operation of the franchise qualifications in urban as compared with rural areas.

12. *The residential requirement.*—We are of opinion that the residential qualification for the vote required by the electoral rules of certain Provinces should be abolished.

13. *The future electorate.*—We consider it inadvisable to lay down any programme of automatic extensions of the franchise. We prefer that it should be left to each Provincial Legislature to extend its franchise at its discretion after the lapse of 10 years from the date of the introduction of the new Constitutions.

[Mr. Joshi, Mr. Shiva Rao, Dr. Ambedkar, and Mr. Srinivasam consider that a programme of automatic extension of the franchise should be laid down.]

14. *Franchise for the Central and Federal Legislature.*—The form of the Central or Federal Legislature has not yet been decided and in these circumstances we do not find it possible to make any suggestions regarding a suitable franchise system.

[Mr. Fazl-ul-Huq and Mr. Ghuznavi desire it to be recorded that their assent to this report is contingent on the retention of separate electorates.]

### Sub-Committee No. VII (Defence.)

REPORT PRESENTED AT THE MEETING OF THE COMMITTEE OF THE WHOLE  
CONFERENCE HELD ON 16TH JANUARY, 1931.

1. The terms of reference of this sub-Committee were as follows :—

"To consider questions of political principle relating to defence, other than strictly constitutional aspects to be considered under heads 6 (Powers of the Executive) and 12 (Relations with the Crown)."

The following delegates were selected to serve on the sub-Committee :—

Mr. J. H. Thomas (*Chairman*); Lord Peel; Sir S. Hoare; Lord Reading; Lord Lothian; H. H. The Maharaja of Alwar; H. H. The Nawab of Bhopal; H. H. The Maharaja of Bikaner; H. H. The Maharaja of Kashmir; H. H. The Maharaja of Patiala; Sir Akbar Hydari; Sir Mirza Ismail; Colonel Haskar; The Rt. Hon. Srinivasa Sastri; Sir Tez Bahadur Sapru; Diwan Bahadur M. Ramchandra Rao; Diwan Bahadur Ramaswami Mudaliyar; Sir Phiroze Sethna; Mr. M. R. Jayakar; Dr. B. S. Moonje; Mr. Jadhav; Sir B. N. Mitra; Sardar Sahib Ujjal Singh; Lieut.-Col. Gidney; Sir Hubert Carr; Sir Muhammad Shafi; Mr. M. A. Jinnah; Dr. Shafat Ahmad Khan; Nawab Sir Abdul Quyum and Raja Sher Muhammad Khan.

2. The sub-Committee met on the 7th, 9th, 12th and 14th January, 1931, and have authorised me to present this report.

3. The discussion in the sub-Committee centred mainly round the question of Indianisation, and every aspect of this question received thorough attention. It was unanimously agreed that in a matter of such importance as Defence, the utmost care was necessary in expressing opinions, and the sub-Committee as a whole was very anxious not to create the impression that anyone in any way or to any degree wanted to say anything that could even remotely tend to imperil the safety of the country or to weaken the strength of the Army. It was in view of this general feeling that all sections of the sub-Committee emphasised the importance of maintaining the same standard of efficiency in training as prevails now in England. The sub-Committee also recognised that in dealing with the question of Defence it was not possible to overlook that a factor that must govern all considerations of the subject was the responsibility of the Crown through the Committee of Imperial Defence, which body was ultimately responsible for examining all these problems. It was realised that the responsibility of the Committee of Imperial Defence was special to India, but was common to the Empire as a whole.

Subject to the above matter of agreement, the general discussion regarding Indianisation was on the following lines. The majority of the sub-Committee considered it impossible for practical reasons to lay down any definite rate of Indianisation or anything of a precise character that might in any way embarrass those responsible for Defence and fetter the judgment or the discretion of the military authorities. Those that held this view felt that the principle of the Indianisation of officers of the Indian Army could not be looked upon as merely a question regarding the efficiency of a single officer or group of officers, or even of a single unit or group of units. It was a principle that to the majority appeared to affect the Army as a whole. It was in consequence the view of this large section of the sub-Committee that a highly technical question was involved on which the sub-Committee was not qualified to express an opinion. One section of the sub-Committee, however, was in favour of a strong affirmation to the effect that the complete Indianisation of the officers in the Indian Army should take place within a specified period, subject of course to the requirements of efficiency, and further subject to the provision of suitable candidates for recruitment as officers in India. Those members who were of this opinion held the view that this was not a technical question at all, but involved only practical considerations. The difference in these two views being fundamental, the sub-Committee decided to incorporate these in its report, and the Chairman further undertook that, when the pursuance of the resolutions of this sub-Committee, expert committees were appointed, those expert committees would as a matter of course take into consideration the proceedings of previous Committees and in particular the proceedings of the Military Requirements Committee of 1921 and the Committee on the Indianisation of the Indian Army of 1922.

4. Subject to the above the sub-Committee arrived at the following definite resolutions.—

(1) The sub-Committee consider that with the development of the new political structure in India, the Defence of India must to an increasing extent be the concern of the Indian people, and not of the British Government alone.

(2) In order to give practical effect to this principle, they recommend

(a) That immediate steps be taken to increase substantially the rate of Indianisation in the Indian Army to make it commensurate with the main object in view, having regard to all relevant considerations, such as the maintenance of the requisite standard of efficiency. (Mr. Jinnah dissented and desired a clear indication of the pace of Indianisation.)

(b) That in order to give effect to (a) a training college in India be established at the earliest possible moment in order to train candidates for commissions in all arms of the Indian defence services. This college would also train prospective officers of the Indian State Forces. Indian cadets should, however, continue to be eligible for admission as at present to Sandhurst, Woolwich, and Cranwell.

(c) That in order to avoid delay the Government India be instructed to set up a Committee of Experts, both British and Indian (including representatives of Indian States) to work out the details of the establishment of such a college.

(3) The Committee also recognise the great importance attached by Indian thought to the reduction of the number of British troops in India to the lowest possible figure and consider that the question should form the subject of early expert investigation.

5. A view was expressed that an addition should be made to those resolutions to the effect that the sub-Committee recognized that no action should be taken so as to prejudice in any way the power of the Crown to fulfil military obligations arising out of treaties with particular Indian States. It was ruled, however, and accepted by the sub-Committee that such a specific declaration was unnecessary; the Chairman giving an undertaking that neither this sub-Committee nor any other Committee could in any way abrogate treaty obligations and engagement that were in operation.

6. In agreeing to the foregoing recommendations the Committee were unanimous in their view that the declaration must not be taken as a mere pious expression of opinion, but that immediately the Conference was concluded, steps should be taken to deal effectively with the recommendations made.

7. The advisability of establishing a Military Council including representatives of the Indian States was agreed to.

**Sub-Committee No. VIII (Services)**

REPORT PRESENTED AT THE MEETING OF THE COMMITTEE OF THE  
WHOLE CONFERENCE, HELD ON 16TH JANUARY, 1931.

The terms of reference to this sub-Committee were as follows :—

"The Relation of the Services to the new political structure."

The following Delegates were selected to serve on the sub-Committee :—

Sir William Jowitt (*Chairman*) ; Lord Zetland ; Major Stanley ; Lord Reading ; Sir Robert Hamilton ; H. H. The Maharaja of Alwar ; H. H. The Maharaja of Nawanagar ; Sir Prabhashankar Pattani ; Rao Bahadur Krishnama Chari ; Sahibzada Sultan Ahmed Khan ; Mr. Chintamani ; Sir P. C. Mitter ; Dr. Narendra Nath Law ; Mr. Basu ; Mr. Tambe ; Sir Chimanlal Setalvad ; Mr. Shiva Rao ; Mr. Mody ; Sir Cowasjee Jehangir ; Sir A. P. Patro ; Rai Bahadur Kunwar Bisheshwar Dayal Seth ; Maharajadhiraja Kameshwar Singh of Darbhanga ; Raja of Parlakimedi ; Dr. Ambedkar ; Lieutenant-Colonel H. A. J. Gidney ; Mr. Paul ; Sardar Sampuran Singh ; Sir Shah Nawaz Bhutto ; Mr. Ghuznavi ; Khan Bahadur Hafiz Hidayat Hussain ; Mr. Zafrullah Khan ; Dr. Shafa'at Ahmad Khan ; Mr. Fazl-ul-Huq ; Sir Edgar Wood.

The sub-Committee met on the 6th, 7th, 8th, 9th, 12th, and 13th of January, 1931, and have authorised me to present this Report.

1. *Existing members of the Services.*—Inasmuch as the Government of India Act and the rules made thereunder by the Secretary of State in Council guarantee certain rights and safeguards to members of the Services, due provision should be made in the new constitution for the maintenance of those rights and safeguards for all persons who have been appointed before the new constitution comes into force.

When the new constitution is drawn up suitable safeguards for the payment of pensions (including family pensions) and provident funds, should be provided.

As it is important that those responsible for the working of the new constitution should not at its initiation be embarrassed by the economic waste and administrative difficulties which a change of staff on a large scale would entail, it is desirable to take such steps as are necessary to reassure existing members of the Services with the view that they may serve with loyalty and efficiency for their normal term.

To this end the sub-Committee agreed that the right to retire on proportionate pension should be extended, but opinion was divided as to whether the extension should be for an unlimited term or for a definite period of years, not exceeding five years.

2. *Future recruitment for the All-India Services.*—We recommend that for the Indian Civil and Indian Police Services recruitment should continue to be carried out on an All-India basis but the majority of the Committee are of opinion that recruitment for Judicial Offices should no longer be made in the Indian Civil Service. The Indian Forest Service and the Irrigation Branch of the Indian Service of Engineers should be provincialised.

(Four members would prefer that the Irrigation Branch should remain an All-India Service.)

Mr. Shiva Rao and Mr. Tambe desire to record their view that all Services should be provincialised forthwith.

Dr. Ambedkar, Mr. Zafrullah Khan, and Sardar Sampuran Singh are averse to further recruitment on an All-India basis for the Indian Civil Service and the Indian Police Service, save in respect of the European element in those Services.)

3. *The recruiting and controlling authority for the future All India Services.*—Since we are recommending that the Indian Forest Service and the Irrigation Branch of the Indian Service of Engineers should no longer be recruited on an All-India basis, we do not think it necessary to offer any special observations with regard to these two Services.

On the question whether we should record any recommendation as to the desirability of securing a continuance of the recruitment of a European element in the Indian Civil Service and the Indian Police Service there was some divergency of opinion.

The majority of the sub-Committee are of opinion that in the case of these two Services it is desirable that some recruitment of Europeans should continue. On the question of the ratio there is a difference of opinion, some holding that for the present recruitment should continue on the lines laid down by the Lee Com-

mission, while others would prefer that the matter should be left for decision by the future Government of India.

Whatever decision may be reached as to ratio, the majority of the sub-Committee hold that the recruiting and controlling authority in the future should be the Government of India. They would leave to that authority the decision of all questions such as conditions of recruitment, service, emoluments and control. Those who take this view attach importance to complete control over the Services being vested in Central and Provincial Governments. A minority of the sub-Committee think that the recruiting authority should be the Secretary of State, since they hold that without an ultimate right of appeal to him, and through him to the British Parliament, it will not be possible to secure recruits of the required type for the British element in the Services. Those who take this view consider that adequate control over the members of the Services can be secured to the Indian and Provincial Governments under the Devolution Rules.

There is one further observation we have to make under this head. In existing circumstances the Government of India can and does obtain officers from the Provinces to fill certain central appointments. Under the new regime we hope that it will be found possible to conclude arrangements between the Government of India and the Provincial Governments so as to secure the continuance of this practice which has obvious advantages.

*The Indian Medical Service.*—Subject to paragraph 4, the sub-Committee are of opinion that in future there should be no civil branch of the Indian Medical Service and that no civil appointment either under the Government of India or the Provincial Governments should in future be listed as being reserved for Europeans as such.

The Civil Medical Service should be recruited through the Public Service Commissions. In order to provide a war reserve, a clause should be inserted in the contracts of service of a sufficient number of officers that they shall undergo such military training and render such military service as they may be called upon to do. The extra cost involved should be borne as an Army charge.

Further, the Governments and Public Service Commissions in India should bear in mind the requirements of the Army and the British officials in India and take steps to recruit a fair and adequate number of European doctors to their respective Civil Medical Services, and should be prepared to pay such salaries as would bring about this result.

It is suggested that agreement might be reached between the Central Government and the Provincial Governments whereby the latter in selecting their European doctors might grant a preference to those members of the Indian Medical Service who have performed a period of service with the Army. We contemplate that such members would sever their connection with the Indian Medical Service during the term of their employment in the Provincial Medical Service—subject only to the acknowledgment of a claim by the Army authorities in time of emergency. The practical details of any such arrangement would have to be a matter of agreement between the Army authorities and each Provincial Government.

(Major Stanley wishes to make it clear that his acceptance of this section is contingent upon the possibility of securing satisfactory agreements under paragraph 4.

Lord Zetland and Sir Edgar Wood fear that under the scheme proposed neither the Provincial Governments nor the Indian Medical Service will secure European Medical Officers of the type required, and they would prefer that the present arrangement should continue until Indianisation both in the Indian Army and in the Civil Services has proceeded further.)

5. *Public Service Commissions.*—(1) In every Province and in connection with the Central Government a Statutory Public Service Commission shall be appointed by the Governor or Governor-General as the case may be.

(2) Recruitment to the Public Services shall be made through such Commissions in such a way as to secure a fair and adequate representation to the various communities consistently with considerations of efficiency and the possession of the necessary qualifications. This part of the duties of the Public Service Commissions shall be subject in the case of Provincial Commissions to periodical review by the Governor, and in the case of the Central Commission by the Governor General, both of whom shall be empowered to issue any necessary instructions to secure the desired result.

(Raja Narendra Nath and Sardar Sampuran Singh desire to add a proviso that the proportion of appointments to be filled to redress communal, class and caste

inequalities should not in any case exceed one-third of the total appointments to be filled, the remaining two-thirds of the appointments being filled solely on considerations of merit.)

The Governor shall, before considering any appeal presented to him against any order of censure, of withholding an increment or promotion, of reduction to a lower post, of suspension, removal or dismissal, consult the Commission in regard to the order to be passed thereon.

(3) Members of the Public Service Commissions shall hold office during the pleasure of the Crown and be removable by the Governor, in the case of a Provincial Commission, and by the Governor-General in the case of the Central Commission. They shall after ceasing to be members of a Commission, be ineligible for a period to be fixed by the Governor or Governor-General as the case may be for further office under the Crown in India, except that persons who have been members of a Provincial Public Service Commission shall be eligible for appointment as members of the Central Commission or of another Provincial Commission, and *vice versa*.

(4) The sub-Committee recognise the special position of the Anglo-Indian community in respect of public employment, and recommend that special consideration should be given to their claims for employment in the Services.

(5) There should be a statutory declaration that

(a) No person shall be under any disability for admission into any branch of the Public Service of the country merely by reason of community, caste, creed or race.

(b) Membership of any community, caste, creed or race shall not be a ground for promotion or supersession in any public Services.

In making this recommendation the sub-Committee have particularly in mind the case of the Depressed Classes. They desire that a generous policy be adopted in the matter of the employment of the Depressed Classes in Public Service, and in particular recommend that the recruitment to all Services, including the Police, should be thrown open to them.

6. *Internal Administration of the Police.*—Subject to the recommendation which has already been made by the "Provincial Constitution" sub-Committee, that under the new constitution responsibility for law and order should be vested in the Provincial Governments, the question whether in consequence any special recommendation should be made as to the internal administration of the Police was left to this sub-Committee. We have given consideration to various suggestions made under this head. Some of the sub-Committee think it undesirable to make any recommendation which might be held to impinge upon the discretion of the future Provincial Governments. Others, who consider that the control over the Police Forces at present secured to the Inspector-General by statute should be preserved, advise that the Police Act of 1861 should not be subject to repeal or alteration by the Legislature without the prior consent of the Governor-General, and that the Police Acts of the Governments of Bombay, Bengal and Madras should be included in the category of Acts which should not be repealed or altered by the Provincial Legislature without the previous sanction of the Governor-General.

7. *The Central Services.*—We recommend that the Government of India should be the authority for recruitment to the Services which are under the control of Ministers responsible to the Legislature. As regards the Services under the control of the Governor-General, we do not feel called upon to make any recommendation.

## Sub-Committee No. IX (Sind)

REPORT PRESENTED AT THE MEETING OF THE WHOLE CONFERENCE, HELD ON  
16TH JANUARY, 1931.

1. The members of the sub-Committee were:—

Lord Russell (Chairman); Lord Zetland; Lord Reading (for whom Mr. Foot acted as substitute); H. H. The Aga Khan; Mr. Jinnah; Sir S. N. Bhutto; Sir G. Hussain Hidayatullah; Sir Abdul Qayyum; Sir M. Shafi; Dr. Shafa'at Ahmad Khan; Sardar Sampuram Singh; Dr. Moonje; Mr. Jayakar; Raja Narendra Nath; Mr. Chintamani; Mr. Jadhav; Sir P. Sethna; Mr. Mody Sir H. Carr.

The terms of reference were to consider—

“the question of constituting Sind as a separate Province.”

The sub-Committee sat on 12th, 13th and 14th January, and have authorised me to present this Report.

2. They consider that the racial and linguistic differences between the inhabitants of Sind and those of the Presidency of Bombay proper, the geographical isolation of Sind from Bombay, the difficulties of communication between the two, and the insistency with which separation has been advocated, provide an impressive case for the division of Sind from the Bombay Presidency and the creation of a separate Provincial Government there.

3. They observe that the Government of Bombay have pointed out certain administrative difficulties in the way of the separation of Sind, but they do not believe them to be insuperable.

4. They note that no detailed examination of the financial consequences of separation has yet been made. On the figures available to them they are unable to express an opinion on the financial aspects of the question.

The sub-Committee with two dissentients (Dr. Moonje and Raja Narendra Nath) are impressed by the strength of the arguments in favour of separation and they have come to the conclusion that principle of separation should be accepted. They therefore recommend that an Expert Committee in India should examine carefully the probable revenue and expenditure of a separate Sind and the security of the debt and the Sukkur Barrage, and should also recommend an equitable adjustment of the financial commitments for which Sind may properly be considered liable. If the investigation shows that separation would leave the new Province with a deficit, the sub-Committee think that the representatives of Sind should be asked to show satisfactorily how the deficit would be met before the new Province is set up.

## RESOLUTION.

**Adopted by Conference unanimously at the final Plenary Session, held on 19th January, 1931.**

The Conference sitting in Plenary Session has received and noted the Reports of the nine sub-Committees submitted by the Committee of the whole Conference with comments thereon.

These Reports, provisional though they are, together with the recorded notes attached to them, afford, in the opinion of the Conference, material of the highest value for use in the framing of a Constitution for India, embodying as they do a substantial measure of the agreement on the main ground-plan, and many helpful indications of the points of detail to be further pursued. And the Conference feels that arrangements should be made to pursue without interruption the work upon which it has been engaged, including the provision in the Constitution of adequate safeguards for the Mussalmans, Depressed Classes, Sikhs, and all other important minorities.

## SPEECH DELIVERED BY THE PRIME MINISTER

**at the final Session of the Conference, held on 19th January, 1931, at St. Jame's Palace.**

*Chairman.* : Your Highnesses, Ladies and Gentlemen, we have met for the last part of this conference. You will believe me, I am perfectly certain, when I assure you that never in the whole of my life have I presided over a gathering with more pleasure and more pride than I have presided over this. When I spoke to you at the end of the first part of our proceedings, I assured that you had come here as our colleagues, that you would have no necessity to persuade us regarding status,

because our conception of the Conference, and the conception of my parliamentary colleagues as well, was that you had come from India to meet us, representing the Legislature of Great Britain, for the purpose of taking counsel together to achieve a common purpose, the self-government of India.

I think I was right. I think you will go back to India, whether you are disappointed as to the work or not, and say "We were met by our British colleagues on terms of hospitable equality; we have put our case before them, and they have listened with a desire to accommodate us; and they have put their case before us, and we assure you that there is so much in their case, so much experience in the working of institutions, so much in relation to the peculiar conditions of India, that they and we must come to agreements upon it."

Now, we have gone as far as we can go at this moment. You have to go back to India; we have to go to our own public opinion. You have spoken here subject to reconsideration, subject to the reaction which your public opinion will show to your work; we, Government and Parliamentary representatives alike, have spoke in the same way, and we must also listen to reactions. We must also explain and expound and defend; we must also make ourselves the champions of our findings, and do our best to bring our people along with us in our pilgrimage of hope to their conclusion.

What have we been doing? Pledge after pledge has been given to India that the British Raj was there not for perpetual domination. Why did we put facilities for education at your disposal? Why did we put in your hands the textbooks from which we draw political inspiration, if we meant that the people of India should for ever be silent and negative subordinates to our rule? Why have our Queens and our Kings given you pledge? Why have our Viceroy's given you pledge? Why has our Parliament given you pledges?

Why, when the Morley-Minto Reforms were launched, did those Reforms contain not merely machinery of government but a promise of advance? Why, when the Montagu-Chelmsford Reforms were in due course launched, did they too not only set up a system of government but give you a pledge that something else was to follow? The Simon Commission itself was appointed, not because there was a Government in office desirous of change; the Simon Commission was appointed because it was contained as a sacred pledge in the Montagu-Chelmsford Reforms. And if to-day, if during the last ten weeks, we had met you with a uniform *non-possumus*, we would have been untrue to the pledges given to India by the Government for which we are responsible. When the Simon Commission was appointed—a Commission which let me say, because I must say, it has done a work remarkable, conspicuous, and essential—you may agree with it or you may not, but you could not have come to the conclusions with us to which you have come had there been no Simon Commission and had not the Simon Commission opened doors that up to then were closed, and brought ears into action that up to then were deaf. India will never be able to be too grateful or to show too much gratitude for the labours of the men who composed the Simon Commission. When that Commission was appointed, we all agreed—the leaders of the three political parties here agreed—that when the British Government came to consider the Report, came to give it a legal and constitutional value, at some time or other, and somehow, a consultation would have to take place between the representatives of the British Parliament and the representatives of Indian opinion; and that is why you are here. I regret profoundly that important sections of Indian political activity are not here too.

I am one of those who, I dare say, are regarded by you (and my colleagues too), as belonging to the Left Wing of politics. That is neither here nor there. But do believe me, Left Wing, Centre or Right, I am one of those who believe that he who stirs enmity between peoples is not going to advance liberty in the world. He who spreads suspicion, he who makes co-operation impossible, is not one of those agents for good that the world in its present distracted frame of mind is so much in need of. If anything has been done by you and us here during the last ten weeks to make the youth of India turn to practical problems, turn to the ways of conquest by calm reason, argue thus: "My case is unanswerable, and I am prepared to put it to the test of reason"—if anything that you and I have been able to do here will produce that result, if we do nothing else, we will have made a great contribution to the progressive political development of the Indian nation.

Everyone must honestly admit that situations have arisen, like some of the communal difficulties, which have put obstacles in our way. Now I want you to take it from me that the attitude of the British Government in such relations is nothing



more than an overpowering desire to leave you to settle your own affairs. We are not pro-Hindu, we are not pro anything else. If we are animated by anything, it is by the conception of India herself—India a unity, India feeling behind and below and above and beyond her communal differences that mystic bond of unity which the great poets, the great philosophers, and the great religious teachers of India have always felt. Believe me, the British Government has no desire to use your disagreements for any ulterior purpose. Quite the opposite. Our one ambition is that, being in a sense kith and kindred with you, (since history, whether you liked it, or whether we liked it, has woven our destinies somehow together), we may use that unity with you in order to pave our way and smooth our path to that much required internal unity amongst yourselves.

In a few moments I will make further reference to the position of minorities, but I take great pride, and I am sure my colleagues do the same, that, as the result of this Conference and the conversations, both private and public, that have taken place at the Conference, the gap between you is much narrower than it was before, and that the very men, who, feeling that they must be loyal to their community, in sorrow were unable to agree, are inspired more by the feeling of agreement than ever. In the conversations and negotiations that are going to take place they will be moved more by that feeling than ever they have been before.

I am convinced, my friends, that you can settle. And I am also convinced of this—that an imposed agreement might make your constitution unworkable.

I would like now to make one or two observations from the point of view, first of all, of one who has had a good deal of experience in political values—the value of words and the value of provisions.

I have listened to some of my minority friends making their claims. Do remember this. We sitting here are not a Legislature. We sitting here cannot impose pains and penalties. We sitting here can declare rights and hand over to you the political power to see that those rights are enforced and respected. We can put in the constitution that this disability may not be put upon you. Believe me, after some experience in those things, ultimately it depends upon the intelligence of your people, it depends upon their organisation, it depends upon their strength of will, it depends upon the success of their leadership as to whether words become deeds and declarations actions.

As regards the form of the constitution, all the speakers have said that it has been determined that it is to be a Federation. Your Highnesses, I can add nothing to the tribute that has been paid to you by previous speakers regarding the magnificent part that you have played in making that possible. Before you came the structure of the Indian constitution was in doubt. Many people, as was said this morning, were doubtful as to whether British India alone could bear central authority. You came. You made your declaration. You showed your patriotic interest in Indian affairs and your very wise vision regarding the future, and your words made it possible for us to build up a constitution and to put political weight upon it. That has been a great achievement for which both India and Great Britain are grateful to Your Highnesses. In building up that constitution we have come across some very awkward things. There is a word which, when used in politics—and some of my friends here also know in economics—I detest, and that is "safeguarding." That is one of my sins, I suppose. Safeguarding—I do not like the word. To you especially, it is an ugly word; it is a word which quite naturally rouses great suspicions in your hearts. It is a word the aspects and the meaning and the connotation and the associations of which are rather forbidding. Let us apply common sense to it. The safeguards that have been suggested here fall under three categories. One category is a group of reserved powers given to somebody—Governor, Governor-General, the Crown or somebody else, and that category of safeguards you will find either expressed or implicit in every free constitution from the rising sun to the setting sun. The category includes powers which may be put into operation by somebody authorised, somebody in authority, somebody in a distinguished position, in a powerful position in the State, put into operation by him in the event of a breakdown of the ordinary normal operations of Government. And, my Indian colleagues, you can twist and you can turn, you can turn a blind eye to this and a blind eye to that, you can draft with care and you can hide up what really is the substance of your draft, but if you were drafting your own constitution, without any outside assistance or consultation, you could not draft a constitution without embodying safeguards of that kind in it.

Then there is the second category of safeguards and there are two sections of that. The first covers guarantees made by the Secretary of State, or made by the

British Government or the British Crown, for which we, by virtue of contracts that we have made in your behalf, remain responsible under a new constitution just as under the existing one. The typical instances of that are finance and also the existing Services. Those guarantees, in the interests of India herself, have to be made clear to the world. It is not that we want to interfere; it is not even we want the money; it is that if there were any doubt at all about India shouldering those obligations and responsibilities, the moral status of India would be deteriorated, and in spite of the materialism of this age, there is far more materialist power resting on moral foundations than many of you know of. It is to put India in a moral position in the eyes of the rest of the world that that section of reserved subject is required.

Then there is another section. There are matters not solely Indian, owing mainly to India's history, and requiring some time for a change. Do not be afraid of time. I know your patience has been tried; I know you have waited long; but, nevertheless, when you are going fastest you have not to be too penurious of time, because that which is built, I do not say unnecessarily slowly, but that which is built calmly and steadily step by step, endures, whilst that which is built in a hurry wastes away and comes to ruin.

Then there is the third category of safeguards relating to communities. Now I repeat what I have said to you so often regarding that: if you fail to agree to set up your own safeguards, to come to a settlement between yourselves regarding those safeguards, the Government will have to provide in the constitution provisions designed to help you; but do remember the best of all is your own, and we do not propose to lose a grip of you, we do not propose to let you go as though you have said the last word here, because we do not believe you have said the last word.

Communities, small and great, must be safeguarded in the Indian constitution—in the terms of the constitution, but the contents of those terms, the details of those terms, a settlement that satisfies those terms—my Indian friends, are you to allow them to pass away from your own hands, and ask anybody outside yourselves to do for you what you declare you are not able to do for yourselves?

There is one great danger inherent in these safeguards which I will mention, because it is of the utmost importance in the working of the constitution. Ministers responsible must not shield themselves from taking upon their own shoulders their responsibility when it is unpopular by leaving the Viceroy or the Governor to put into operation his reserved powers.

Moreover, we have this problem in front of us too: in Executives, in particular, there must be unified responsibility. I am not going to push that observation to any more pointed conclusion, but the great task in forming an Executive is not so much to give it responsibility (which is the peculiar characteristic of legislatures) but it is to secure for the Executive the confidence of the Legislatures, together with its own united working in policy.

Now, as regards the future, we have before us the Reports of the various sub-Committees, all of them noted, together with your observations upon them. The Government proposes at once to study these very carefully in order to face the problems which they present to it. We have, for instance, sub-Committee No. 1, the sub-Committee presided over with such conspicuous ability by the Lord Chancellor, who, by that one act of service has won for himself a great place in your hearts. That Report, rough wood, if I may say so, wood of very varying lengths, full of knots, full of difficulties in handling and using, must be planed and fitted into a logical and consistent structure.

Sub-Committee No. 11 has endorsed the principle of fully representative government in the Governors' Provinces, subject to the retention by the Governors of certain powers which were widely agreed to be unnecessary at this stage.

The Minorities sub-Committee I have already referred to. You have not heard the last of us regarding that. As to the sub-Committee on Burma, its findings have been noted, and the Government will pursue the decisions of that sub-Committee; separating Burma and making the necessary enquiries as to the conditions upon which the separation is to take place.

With regard to the North-West Frontier Province, which was the subject of sub-Committee No. V, that sub-Committee has recommended the elevation of its status to that of a Governor's Province, with a constitution analogous to that of other Governors' Provinces under the new regime, but with the necessary modifications and adaptations to suit the peculiar local conditions and requirements, and with the necessary financial adjustments with the Central Government.

Sub-Committee No. VI, the Franchise sub-Committee, recommended the setting up of a Committee to work out specified problems, and that Committee will be set up.

Sub-Committee No. VII dealt with Defence. That will be proceeded with, and if it is possible to put into operation, without the delay that will be required in the building up of the full constitution, some of its parts by administration, we shall get into touch with the Government of India and see how that can be done. I refer to such things, for instance, as the creation of a Military Sandhurst in India.

Sub-Committee No. VIII dealt with the Services, and affirmed the necessity of continuing to existing members of the Services under the new constitution the guarantees which the present Act and the Rules framed under it give them, and had explored the position as regards the future.

Sub-Committee No. IX dealt with Sind, and adopted with two dissentients the principle that Sind should be formed into a separate Province, but left its feasibility for future decision after enquiry by an expert Committee into the financial problems involved. That also will be undertaken.

I need not go through any more details than that. These pledges I give you, these statements I make relate to administration and to the setting up merely of the Committees.

One or two of you who have had large experience in administration have pressed upon us that under the existing Government of India Act some things of importance could be done by administration, to bring Indian administrative action more into accord with the declarations made here than is the case to-day. We cannot commit ourselves as to whether that is so or not, but we propose, in consultation with Indians of administrative experience, to explore that and as the result of the exploration we shall take action or otherwise.

At this point I may turn to the very moving appeal made by Sir Tej Bahadur Sapru to me this morning regarding an amnesty. It was a wise and a moving appeal which, I can assure the Conference, lodges very naturally in my own heart. I should like this Conference to open a new chapter in the relations of India and ourselves. If Sir Tej Bahadur Sapru's appeal to India, as well as to us is responded to in India, and civil quiet is proclaimed and assured, His Majesty's Government will certainly not be backward in responding to his plea, which is endorsed by so many of his colleagues here.

Now that brings me to the question of what is to be done to complete our labours. We have agreed upon certain features of the constitution, but the successful launching of the constitution depends still upon very careful study of conditions and structure. I think it was Lord Peel who said that we were not so short-sighted and so self-centred as to be under the impression that the only successful constitutional machinery is that under which we work ourselves. As a matter of fact, if you ask my opinion, I can give you some very bad results of its working! Therefore it is certainly not perfect. We have got the United States type; we have a type which has been used in Japan, and which is of very great interest, especially in some of its aspects, if not in all. We have a type such as was used in Germany before the war; we have got French methods, and so on; and in order that we may have all the world experience of working Legislatures elected in different ways and composed in different ways, we shall study those. We have, as a matter of fact, studied them, and we hope to get from that study ideas, suggestions, plans, from which the New Indian Constitution can be benighted and made workable. Some conditions that have been attached to the working of the Constitution have been practically agreed upon, they have become of the nature of problems that can quite easily be settled by a chairman's ruling, or by a government decision, involving no principle and creating no friction. Others still require work, especially the open questions and the notes of dissent made to the Report of Committee No. 1. There is, for instance, the place of the States in the federation: the provision which must be made that the States in everything which they have not agreed to hand over to the federal authority have direct contact with the Crown. There is the composition of the Legislatures and Executives and some problems regarding practical working. There are the problems of communities and the various details of safeguarding. Now, I think, I am right that so much work has been done upon these questions that the time has come for us to begin to try to draft something, because it is only when you begin to draft that you discover what you have overlooked and what you have not properly considered. Now, this work must not be left to the bureaucracy in either country, but must be conducted on the direct responsibility of the politician aided and guided by those admirably equipped servants of the State which both our civil services contain. I hope, for instance, that in the future negotiations and explorations we are going to have the great pleasure of continuing the parliamentary

unity which has been maintained with so much good feeling during the last ten weeks in the work of this Conference.

There is another important thing. One of the secrets of our success thus far—in fact, I am not at all sure it is not the main secret—is the personal contacts that we have been able to establish and to keep going. I have had a good deal of experience of those Conferences. One week of a Conference produces more good than six months of diplomatic correspondence. Let us get down to facts face to face; let us sit round the table; let each of us state our claims, state our hopes, state our fears, state our expectations; let each of us be candid one to another, and, face to face, there is enormously better chance of an understanding and an agreement than under any other circumstances. I wish to continue that condition. There are practical difficulties, as you know. Much work has still to be done in India of an educational and explanatory character.

At this minute, after all the heavy work we have had to undertake without remission during the whole day, and very often far into the night, you will understand me when I say that I am not in a position at this moment to tell you precisely the plan by which those negotiations are going to be continued and those personal contacts to be maintained. I mention that because I know that some of my friends place great store upon these points, and I want to assure you before you go home that I thoroughly agree with you regarding them.

I propose to confer with the new Viceroy at once, who is arriving here in a few days, and tell him what has been done—my colleagues and myself, and I hope in this that I may include my Parliamentary colleagues—and agree to a plan which will satisfy the requirements which I have just stated. At this point I will read to you the declaration which I am authorised to make by my colleagues of the Government.

The view of His Majesty's Government is that responsibility for the government of India should be placed upon Legislatures, Central and Provincial, with such provisions as may be necessary to guarantee, during a period of transition, the observance of certain obligations and to meet other special circumstances and also with guarantees as are required by minorities to protect their political liberties and rights. In such statutory safeguards as made for meeting the needs of the transitional period, it will be a primary concern of His Majesty's Government to see that the reserved power are so framed and exercised as not to prejudice the advance of India through the new constitution to full responsibility for her own government.

His Majesty's Government, whilst making this declaration, is aware that some of the conditions which are essential to the working of such a constitution as is contemplated, have not been finally settled but it believes that as the result of the work done here, they have been brought to a point which encourages the hope that further negotiations, after this declaration, will be successful.

His Majesty's Government has taken note of the fact that the deliberations of the Conference have proceeded on the basis, accepted by all parties, that the Central Government should be a Federation of all-India, embracing both the Indian States and British India in a bi-cameral legislature. The precise form and structure of the new Federal Government must be determined after further discussion with the Princes and representatives of British India. The range of subjects to be committed to it will also require further discussion, because the Federal Government will have authority only in such matters concerning the States as will be ceded by their Rulers in agreements made by them on entering into Federation. The connection of the States with the Federation will remain subject to the basic principle that in regard to all matters not ceded by them to the Federation their relations will be with the Crown acting through the agency of the Viceroy. With a legislature constituted on a federal basis, His Majesty's Government will be prepared to recognise the principle of the responsibility of the Executive to the Legislature. Under existing conditions the subjects of defence and External Affairs will be made to place in his hands the powers necessary for the administration of those subjects. Moreover, as the Governor-General must, as a last resort, be able in an emergency to maintain the tranquillity of the State, and must, similarly, be responsible for the observance of the constitutional rights of Minorities, he must be granted the necessary powers for these purposes.

As regards finance, the transfer of financial responsibility must necessarily be subject to such conditions as will ensure the fulfilment of the obligations incurred under the authority of the financial stability and credit of India. The Report of the Federal Structure Committee indicates some ways of dealing with the subject including a Reserve Bank, the service of loans, and Exchange policy, which, in the

view of His Majesty's Government, will have to be provided for somehow in the new constitution. It is of vital interest to all parties in India to accept these provisions to maintain financial confidence. Subject to these provisions the Indian Government would have full financial responsibility for the methods of raising revenue and for the control of expenditure on non-reserved services. This will mean that under existing conditions the Central Legislature and Executive will have some features of dualism which will have to be fitted into the constitutional structure.

The provision of reserved powers is necessary in the circumstances and some such reservation has indeed been incidental to the development of most free constitutions. But every care must be taken to prevent conditions arising which will necessitate their use. It is, for instance, undesirable that Ministers should trust to the special powers of the Governor-General as a means of avoiding responsibilities which are properly their own, thus defeating the development of responsible Government by bringing into use powers meant to lie in reserve and in the background. Let there be no mistake about that.

The Governor's Provinces will be constituted on a basis of full responsibility. Their Ministries will be taken from the Legislature and will be jointly responsible to it. The range of Provincial subjects will be so defined as to give them the greatest possible measure of self-government. The authority of the Federal Government will be limited to provisions required to secure its administration of Federal subjects, and so discharge its responsibility for subjects defined in the constitution as of all-India concern.

There will be reserved to the Governor only that minimum of special powers which is required in order to secure, in exceptional circumstances, the preservation of tranquility, and to guarantee the maintenance of rights provided by Statute for the Public Services and minorities.

Finally, His Majesty's Government considers that the institution in the Provinces of responsible government requires both that the Legislatures should be enlarged, and that they should be based on a more liberal franchise.

In framing the Constitution His Majesty's Government considers that it will be its duty to insert provisions guaranteeing to the various minorities, in addition to political representation, that differences of religion, race, sect or caste, shall not themselves constitute civic disabilities.

In the opinion of His Majesty's Government it is the duty of the communities to come to an agreement amongst themselves on the points raised by the Minorities sub-Committee but not settled there. During the continuing negotiations such an agreement ought to be reached and the Government will continue to render what good offices it can to help to secure that end, as it is anxious not only that no delay should take place in putting the new Constitution into operation, but that it should start with the goodwill and confidence of all the communities concerned.

The various sub-Committees have been studying the more important principles of a Constitution which would meet Indian conditions have surveyed a considerable part of the structure in detail and the still unsettled points have been advanced a good way to an agreement. His Majesty's Government, however, in view of the character of the Conference and of the limited time at its disposal in London, has deemed it advisable to suspend its work at this point, so that Indian opinion may be consulted upon the work done, and expedients considered for overcoming the difficulties which have been raised. His Majesty's Government will consider, without delay, a plan by which our co-operation may be continued so that the results of our completed work may be seen in a new Indian Constitution. If, in the meantime, there is a response to the Viceroy's appeal to those engaged at present in civil disobedience, and others wish to co-operate on the general lines of this declaration, steps will be taken to enlist their services.

I must convey to you all on behalf of the Government its hearty appreciation of the services you have rendered not only to India but to this country, by coming here and engaging in these personal negotiations. Personal contact is the best way of removing those unfortunate differences and misunderstandings which too many people on both sides have been engendering between us in recent years. A mutual understanding of intention and difficulty, gained under such conditions as have prevailed here, is by far the best way for discovering ways and means of settling differences and satisfying claims. His Majesty's Government will strive to secure such an amount of agreement as will enable the new Constitution to be passed through the British Parliament and to be put into operation with the active goodwill of the people of both countries.

# **Congress and Conferences**

**J u l y — D e c e m b e r 1930**

(d) Sind, if separated, may not be able to bear the financial burden of carrying on a separate administration without help either from the central or the Bombay Government.

(e) Bombay has invested large amounts of money, particularly in the Sukkur Barrage, and that alone will be a great impediment to separation, at any rate, for some years to come.

#### REFORMS IN FRONTIER PROVINCE

3. Regarding the introduction of reforms in the North-West Frontier Province and Baluchistan on the same footing as the other provinces, the Hindu Mahasabha has in principle no objection, but it considers it an impracticable proposition for the immediate future. The Hindu Mahasabha, therefore, proposes that immediate steps be taken to secure to the province, with as little delay as possible, the benefits of a regular system of administration, both judicial and executive, so that the province may be prepared for the reformed constitution.

#### THE SERVICES.

4. As regards the demand for provision giving the Muslims an adequate share in the public services of the state, the Hindu Mahasabha holds that there shall be no communal representation in the public service, which must be open to all communities on the basis of merit and competency, ascertained through competitive test.

#### COMPOSITION OF CABINET

As regards the Muslim demand that no cabinet, either central or provincial, shall be formed without there being a proportion of Muslim Ministers, the Hindu Mahasabha cannot approve of the proposal, as it is negation of the wholesome principle of joint responsibility of the Cabinet. In the future responsible government the cabinet will be formed by the Chief Minister selecting his own men, as in other self-governing countries. The Hindu Mahasabha, therefore, is of opinion that nothing should be done to fetter his freedom to make his own selection of his colleagues on the Cabinet. He will naturally select such colleagues irrespective of their communities as will ensure strength and stability to the cabinet.

#### PRESENTATION IN LEGISLATURES

6. As regards representation of minorities in the legislatures, central or provincial, the Hindu Mahasabha stands for joint electorates, and a temporary provision for, say, the lifetime of the next two legislatures, for reservation of seats for the minorities on the basis of their adult population or their voting strength, whichever shall be favourable to them. The system of reservation shall automatically disappear after the lapse of the period fixed.

#### RESIDUARY POWERS

7. Regarding the demand for vesting residuary powers in the provincial Governments, the Hindu Mahasabha cannot agree to it, and stands for a strong central Government.

8. The Hindu Mahasabha stands for full religious liberty, i. e., liberty of belief, worship, observance, propaganda, association and education to be guaranteed to all communities alike, provided these rights are not exercised in such a way as to be provocative, offensive or obstructive to others.

#### LUCKNOW PACT

9. The Hindu Mahasabha believes in the potency of joint electorates to further the cause of evolution of India as one united nation, but if the Muslims believe that they cannot do without separate electorates the Hindu Mahasabha will be reluctantly obliged to agree to it, provided that the Muslims adhere to the Lucknow Pact, and its provisions are not contravened or exceeded. The Hindu Mahasabha is of the opinion that it would be unfair to allow the Muslims to take all the benefits given to them under that arrangement for separate electorates, and also to claim other concessions.

#### LEAGUE OF NATIONS AND MINORITIES

10. The above statement is without prejudice to the Hindu Mahasabha's contention that the Muslims in India, having regard to their numerical strength and other

circumstances, are not a minority of such a nature as the League of Nations has in view when it considers the claim of minorities. The Muslims in India are a numerically strong, well organised, vigorous and potent body with great facilities for self-development. There are other minorities like the depressed classes, Christians, Parsees, etc., who are infinitely weaker than the Muslims in all material respects, and the Sabha thinks it would be difficult to resist the claims of minorities to concessions similar to those demanded by the Moslems if these are granted to the Moslems. The Sabha is anxious that India should not be split on the very threshold of a new constitution. Besides, the Sabha is and always has been willing that all minorities, including the Moslems, which require special protection in the matter of religion, education and culture, should have the fullest opportunities for self-development, self-expression and self-protection. On a perusal of the arrangements made by the League of Nations in the case of many minorities in new provinces formed in Europe after the war, it will be clear that in no case have any claims been allowed like those the Muslims are putting forward in India.

11. The Sabha is willing that the whole of the Hindu-Muslim problem should be referred to individuals, or to a body like the League of Nations, who have dealt with such questions in the past and have experience of them in other countries. It is necessary that the Hindu-Muslim problem should be examined by impartial men, who have experience of such questions, and who will have the courage to solve them with impartiality.

12. The Hindu Mahasabha here feels the need of emphasising the point that the League of Nations, while providing for full legitimate protection to the minorities in matters concerning their religion, culture, and social customs, has scrupulously refrained from discriminating between the nationals of a state on the basis of their religions, cultures, or languages, as is demanded by the Muslims of India in the public administration of the country, where, according to the League of Nations, principles of freedom and equality in political, economic and legal spheres should prevail.

#### A STATE WITHIN A STATE

The Sabha concludes this statement by saying that in the solution of this communal question the caution must ever be borne in mind which was voiced by an expert of the League of Nations who was called upon to examine the minorities question, in his report as follows :—

'It seems to me obvious that those who conceived this system of protection (of minorities) did not dream of creating within certain states a group of inhabitants who would regard themselves as permanently foreign to the general organisation of the country. We must avoid creating a state within a state, we must prevent the minority from transforming itself into a privileged class, and taking definite form as a foreign group instead of becoming fused in the society in which it lives. If we take the exaggerated conception of the autonomy of minorities to the last extreme, these minorities will become a disruptive element in the state and a source of national disorganisation'.



# The Moslem Conferences

## The All Parties Moslem Conference

The Executive Board of the All-Parties Muslim Conference met at Simla on the 14th. July 1930. Maulana Shaukat Ali presided: About 30 persons were present.

Maulana SHAUKAT ALI opening the proceedings appealed for unity when they were to decide the fate of eight crores of Muslims who were weak and disorganised. But one element Muslims had possessed throughout their 1,300 years of existence. They might not be possessing technical knowledge, but they had known the art of government and their rule of 300 years in India had not been a bad one. (Hear, hear.) He was revolutionary but had joined hands with Minister Noon because he had found the latter was not behind the speaker in the service of Islam. (Applause.) The Maulana said they would wait for four or five months for their demands to be conceded after which he and his workers would not keep to non-violence. The Maulana said they had got too much involved these days in section 144 and the Indian Penal Code. They had lost their historical sense, the kind of sense which Bacha-i-Saqo showed in capturing Kabul with 27 horsemen and Nadir Khan and brothers had shown in dethroning Bacha with practically nothing to support them. He said those who were in the Councils could work there and those who were invited could go to the London Conference, but there was need for a proper fund to finance his workers to carry the message of the conference all over the county.

### RESOLUTION ON SIMON REPORT

Dr. SHIFAAT AHMED KHAN, in moving the resolution, said the Simon Report had caused great disappointment both to those who had the good fortune or misfortune of co-operating with it and to those who did not co-operate.

A Voice.—It was a misfortune.

Dr. Khan: I think it was a good fortune. Though the Commission had conceded separate and federal government of the Centre, yet the points which Muslims wanted to gain by advocating these two policies had not been gained. Their object in advocating federal government was to secure majority in the Punjab and Bengal and that object had remained unfulfilled and the system proposed was undiluted autocracy in the Centre.

Continuing, the speaker said, similarly the safeguards they wanted in respect of the public services, etc. had not been granted, but their demand had been utilised to strengthen the hands of the Governor and put in his possession tremendous powers which he would wield not in an emergency but in day to day administration.

SYED HABIBULLAH, seconding the resolution, said the resolution must reply to the Simon Report in detail. He said when Mahatma Gandhi was fighting the Government and Pandit Malaviya was using threats, Sir Tej Bahadur Sapru was co-operating with the Government and Mr. Sastri was pleading before it. They all joined and worked together. Was there any objection if the Muslims also joined and Shaukat Ali and Noon worked together? (Applause.)

Malik Feroze Khan Noon: Don't put me with Sastri (Laughter.)

RAJA GHAZANFAR ALI KHAN moved a counter resolution to the effect:

"The meeting of the executive board of the All-Parties Muslim Conference has carefully considered the various important proposals contained in the Simon Report and while they recognise that the Commission has conceded the right of separate electorates in six provinces and has accepted the principle of federal government, they are of the opinion that the report is unacceptable to them, firstly, as it does not conform to the proposals contained in the All Parties Muslim Conference resolution in January 1929 and, secondly, as they not only fall short of the national demand for full responsible government but are positively reactionary in various respects".

Raja Ghazanfar Ali Khan said his object was to put forward a proposal to which all would agree so that their opponents might not exploit their differences before the world. There was a danger in going into details, as they had seen that somebody had said that a protest should also be made about the votable and non-votable heads and some one suggested some other change.

Sheikh Abdul Majid Sindhi seconded Raja Ghazanfar Ali Khan's proposal and said the federal system proposed was only nominal.

Nawab Jamshed Ali Khan suggested that if any points remained they should be incorporated and not the whole resolution dropped on that account.

Malik Feroze Khan Noon, Minister, said it was necessary that they should specifically show where the report had failed to satisfy their demands. Their silence would be misunderstood. (Hear, hear.)

Mr. Mohamed Sadiq said unless they wished to please the Simonites and the Europeans there was no purpose in attaching so much importance to the Simon Report as to offer detailed criticism of the report. The presumption would be that they preferred the Nehru Report against which they had held the Delhi Conference in 1929. The occasion to-day was even more delicate.

Nawab Murtaza Hassan of Bombay said they should declare that they would not look at the Simon Report and would not rest till their Delhi demands were met.

Mian Shah Nawaz said unless Raja Ghazanfar Ali Khan wanted immediate self-government without even safeguards for the transitory period which his resolution implied there should be the possibility of a settlement by their characterising the report as inadequate, unsatisfactory and retrograde. This hint was taken and soon the leading members retired and came to an understanding so that the resolution as moved was to be passed with the addition of a preamble calling it unacceptable, reactionary and retrograde.

This announcement of compromise was welcomed by the gathering.

#### COMPROMISE RESOLUTION

The compromise was arrived at by adding the following preamble to the resolution which as finally adopted read :

"The report of the Simon Commission as a whole is unacceptable to us, because it falls short of our demands formulated by the All-Parties Muslim Conference in Delhi and because it is retrograde and reactionary in spirit.

"(1) While appreciating the recommendations of the Simon Commission that the future constitution of India should be on a federal basis, the election to provincial legislatures should be by a system of separate electorate and the provinces should have provincial autonomy, we are emphatically of the opinion that the minimum demands of the Muslim community as embodied in the resolution of the All-Parties Muslim Conference at Delhi on January 1st, 1929, has not been met by the Commission.

"(2) While reiterating these demands we have no hesitation in saying that elections to the Federal Assembly and the Council of State should be through separate electorates. While expressing no opinion at this stage whether election to either chamber of the central legislature should be by indirect or direct election, we are definitely opposed to the system of proportional representation as suggested by the Commission. We are emphatically of opinion that Muslims should be guaranteed the minimum of  $33 \frac{1}{3}$  per cent. seats, both in the Federal Assembly and the Council of State.

"(3) If at any time the Muslims of a province decide by a plebiscite of two-third majority to do away with separate electorates they should be allowed to do so, the opposition of the other communities to such should not prevent their abolition.

"(4) Provincial autonomy should not be real and should not be whittled down by the unlimited overriding powers of Governors. All Ministers should be non-official and should be elected, the Ministry being jointly responsible to the legislatures.

"(5) Muslims must be guaranteed a majority in Bengal and the Punjab. While the Simon Commission have maintained the Hindu majority in six provinces, they have deprived the Muslims of Bengal and the Punjab of their majority.

"(6) While agreeing with the Commission that there are strong reasons for the separation of Sind from Bombay, we are unable to agree with their suggestion should the question of immediate separation be considered later. We are emphatically of the opinion that Sind should be separated from Bombay without further delay.

"(7) While realising that the Commission concede the grant of reforms to the

N. W. F. Province, we are strongly of the opinion that these proposals are entirely inadequate and the reasoning employed by the Commission is unsound. We are emphatically of the opinion that the N. W. F. Province should have the same measure of reforms as is granted to other provinces of India.

"(8) We are strongly of the opinion that Baluchistan should be guaranteed fully provincial autonomy possessing the same powers as are enjoyed by other provinces.

"(9) The Simon Commission has made no adequate provision for representation of Muslims in the public services of the country or Cabinets of the provinces and in the Centre. In our opinion it is essential to the stability and success of any constitution that may be framed that the Muslim community should be guaranteed adequate and effective representation in all Cabinets and public services of the country and a provision to this effect must form part of the constitution.

"(10) The meeting has noted with regret that the demand for representation of Muslims in all statutory self-governing bodies, such as local bodies, universities and other bodies created by law, and the proposals for protection of the education, culture, language and Muslim law and charitable endowments have not even been discussed by the Commission in volume II of their report. We feel extreme disappointment at the failure of the Commission to provide for effective guarantees for carrying out these safeguards. We are emphatically of the opinion that these safeguards should be a fundamental part of the constitution.

"(11) We are unable to agree with the proposal of the Commission regarding army. We are greatly disappointed at the failure of the Commission to make effective provision for speedy Indianization of the army and the establishment of an Indian Sandhurst. While we feel that the Commission have ignored genius and aspirations of Indians of all parties on this subject, we are strongly of the opinion that in the scheme of Indianization of the army that may be proposed by any party an adequate and effective representation of Muslims in all grades of military service and other fighting forces, such as navy and air force, be guaranteed to them by law.

"We are strongly of the opinion that finance, commerce, railways, post and telegraphs in the Central Government should be in the hands of Indian Ministers responsible to the Federal Assembly. We do not agree with the proposals of the Commission which confer powers on the Governor-General, as we believe they are inconsistent with a parliamentary form of Government. We are strongly of opinion that the time has arrived when all subjects of common concern should be transferred to the central legislature, subject to safeguards in respect of army, foreign affairs and the Indian States for the transition period.

#### ONE-THIRD SEATS AT R. T. CONFERENCE

The resolution regarding one-third representation at the London Conference was proposed by Mr. Fazal Rahimtoolah. It was opposed by Mr. Abdul Majid Sindhi who said when other political bodies had not declared themselves on the subject why should they do it.

Maulvi Mazheruddin said if Government did not hold the Round Table Conference because the Congress, the Hindu Mahasabha and others had boycotted it, that should show that the Government did not care for the Muslim demands. The London Conference would be the best world platform to propagate the Muslim point of view.

Mr. Mahomed Sadiq asked why they wanted such a large representation which would only expose them to internal differences. The best method was to have effective representation. If they wished to stand for one-third representation they should make it plain that they would not go the Conference if it was less.

Dr. Ziauddin Ahmed said he had never been able to understand what was meant by adequate and effective representation. They must specify their demands and the resolution did so, and should be accepted.

Raja Ghaznafar Ali Khan said the resolution was an attempt by the back door to get the reaffirmation of the resolution of last December. What was the new factor in the field which made such resolutions necessary? So far as the demand was concerned perhaps none would differ, but why make it at this time?

Khan Bahadur Fasihuddin asked all to pass the resolution unanimously.

Malik Feroze Khan Noon asked that when Raja Ghaznafar Ali Khan agreed that the resolution was right and proper why did he oppose it. As regards the Congress and other bodies' attitude about the London Conference, Malik Feroze Khan Noon said they were not dependent on others' actions, but should put forward their demands on their own strength. 'We are not prepared to take a lead from the Hindu Sabha or the Congress'.

Replying to Raja Ghaznafar Ali Khan, Malik Feroze Khan Noon said the resolution was brought before the working committee by Nawab Ismail who had been a co-worker of Raja Ghaznafar Ali Khan at the meetings.

*Raja Ghaznafar Ali Khan.*—He voted against it.

Malik Feroze Khan Noon, continuing, said that no one knew whether the Viceroy would make an announcement about the personnel on the 9th. It was not probable, because if it was unacceptable it might have an adverse effect on the voting during the session of the Assembly. Therefore in all probability the announcement of the personnel would be after the session.

*Raja Ghaznafar Ali Khan.*—Then you seem to be in the know.

*Malik Feroze Khan Noon.*—No, this is commonsense.

Concluding, the speaker said that when men like the Ali Brothers, who were ready to shed their blood for Mahatma Gandhi had given up the Congress cause and joined them there must be something positively wrong with the Congress politics.

Four more speeches were made and the resolution was put and carried by 31 votes to 7.

#### NEXT CONFERENCE AT LUCKNOW

The conference concluded the session on 6th JULY after passing the following resolutions :—

"This meeting of the executive board gratefully accepts the invitation of U. P. Muslim Conference and resolves that the next session of All India Muslim Conference be held at Lucknow about the middle of August next. It was further resolved that Maulana Mohamed Ali be elected president of the annual session. (In this connection it was pointed out by a speaker that in case Maulana Mohamed Ali did not get well then Maulana Shaukat Ali would be the president of the conference).

### The U. P. Muslim Conference

For some time past it had been advertised in the press that a conference of the Muslim members of the U. P. Legislative Council and local bodies will be held at Allahabad on July 19, 20 and 21. At first it was announced that Sir Muhammad Shafi would preside over the conference. Then it was stated in a subsequent communication that as Sir Muhammad Shafi, who had agreed to preside, had gone to England, Khan Bahadur Hafiz Hidayat Husain had been asked and had consented to preside over this conference. A Tanzeem Conference was also announced to take place along with this conference with Maulana Shaukat Ali as president.

Some 400 Muslims, mostly belonging to Allahabad, with a sprinkling of persons from outstations assembled at Allahabad on the 20th JULY 1930. At the outset Maulana Nisar Ahmad was asked to address the gathering. He harangued for long against Hindu-Muslim unity, civil disobedience and the Hindus in general and Arya Samajists and Pandit Malaviya in particular. Maulana Shaukat Ali, who then arrived in the hall, was given an ovation by the audience. Haji Syed Mohammad Hussain next read out his address as chairman of the organizations.

Maulana Nisar Ahmad (Gawnpore) then proposed the election of Maulana Shaukat Ali as president of the Tanzeem Conference. He related that the judicial commissioner of Sind had said about the Ali brothers that if they could side with the Government then the Government would become a real government. The two brothers had been serving the community with steadfastness and loyalty. It was an irony of fate that, in spite of all their sacrifices, charges should be laid against them that they had sold themselves to the Government for a pension of Rs. 150 per mensem.

The motion was seconded by Maulvi Abdul Hamid (Budaun), and supported by several speakers. Syed Mashuq Ali of Sultanpur, who was one of them, also referred to the allegations that were made against the Ali brothers because, he said, they were silent about the present political movement.

#### MAULANA SHAAUKAT ALI'S ADDRESS NO. I.

Maulana Shaukat Ali, then, addressed the audience as president of the Tanzeem Conference. He first of all apologized to them for addressing them, while seated.

Proceeding, Maulana Sha ukat Ali said every Muslim possessed a better political and historic sense than the whole of the All-India Congress Committee. He said the eyes of the whole world were on Indian Muslims. Although there were only eight crores Muslims in India and 40 crores throughout the world, it were the Indian Muslims who had taught them the lesson that all Muslims were one and they were thankful to them for this. What he wanted was that for the next five or ten years the Indian Muslims should consolidate their position, so that the Hindus would no longer be able to ignore them. He propounded his scheme of Tanzeem that the Muslims of each *muhalla* or village should have one head and a number of *razakars*. Every Muslim should pay subscription to a fund three-fourths of which should be spent on local needs and one-fourth to be paid to the control organization. He held Mahatma Gandhi and Pandit Motilal Nehru responsible for the present Hindu Muslim discord. He put forward a plea for joining the Round Table Conference and condemned the civil disobedience movement.

When the Maulana's address was over Khwaja Abdul Majid asked whether he or any one else who differed from the views so far expressed from that platform would be allowed to put forward a different view before the audience.

Maulana Sha ukat Ali replied that it was a conference of people who were of one mind (*hamkhyal*) and so he could not be allowed to speak, but he would give him a hearing at the other conference.

Khwaja Abdul Majid submitted that the other conference, he had been informed, would be of Muslim Members of the U. P. Legislative Council and local bodies and he not being either, how could he have any say at that conference. Hence he might be allowed to speak at the conference. Khwaja Sahib was still proceeding when the Maulana stopped him saying: "That will do. What you will understand in one hour I can understand in 10 minutes."

Then, on Mr. Zahur Ahmed's suggestion, Maulana Sha ukat Ali replied that he (Maulana) would address a public meeting on Monday evening (21st) either at Moti Park or Purshottandas Park, if weather permitted, otherwise, if it were to rain, in Juma Masjid. The exact time and place would be announced later. If he liked he could come and have his say there.

Mr. Zahur Ahmed and Mr. Mohammad Husain were, in the meantime, crying to Dr. Khan to begin his address. Khwaja Abdul Majid then left the hall, followed by a number of others.

A young Mussalman then stood up in the middle of the hall and began to speak in Hindustani. He said they wanted to pass resolutions, in the name of the Muslims of Allahabad, condemning the freedom movement and asking the Muslims not to take part in it without allowing other points of view to be placed before the audience. This sort of tactics was dishonest and highly condemnable. As the youth was thus proceeding cries were raised from several quarters in the hall, Maulana Sha ukat Ali asking him to stop and Mr. Zahur Ahmed, secretary of the conference, crying: "Turn him out. Turn him out." There was confusion for a time in the hall and the young man was taken out by the volunteers.

When there was still noise and confusion Mr. Zahur Ahmed, secretary, called upon Dr. Shafaat Ahmed Khan to deliver his address as chairman of the reception committee. On the copy of the address sent to the "Leader" by Dr. Khan himself there was a signed note: 'Editor,—Please note the correct designation of this conference. The title is incorrectly printed.—Shafaat Ahmed Khan.' The printed designation was: 'Conference of Muslim Members of U. P. Legislative Council'. To this 'and Local Bodies' was added in handwriting. However, it was the same audience which formed the Tanzeem Conference. How the audience, including the petty shop-keepers, pedlars, *kunjras*, artisans, *chaprasis*, press compositors and other elements of the population of Allahabad, became suddenly transformed into M.L.C.s and members of local bodies as soon as Dr. Khan rose to read his lengthy address to them, passes one's comprehension. According to the comprehensive list of prominent persons containing 42 names, supplied by the secretary in his own handwriting, there were but three M. L. C.s present, besides, of course, Dr. Khan, the chairman, and Mr. Zahur Ahmed, the secretary. Their names are,—Khan Bahadur Shaikh Abdullah. M. L. C. Khan Bahadur Maulvi Fasihuddin, M.L.C. and Syed Tufail Ahmed, M.L.C. The names of but three members of local bodies are included in the list. It is not known definitely whether any more were present. Most of the Muslim M.L.C.s replied to the invitation declining it with thanks and some frankly declaring that they were not willing to be used as tools in a publicity-hunting campaign for personal aggrandizement. Khan Bahadur Hafiz Hidayat Husain refused to accept the presidency of the conference. This conference, according to the organizers, was

the second one of its kind, its first session having been held in 1928. Then, also, the chairman and the secretary were the same persons.

Dr. Khan, in his address, patronizingly praised Mr. Zabur Ahmed for his secretaryship.

Dr. Khan's address being over, the audience expected that Khan Bahadur Hafiz Hidayat Hussain, whose acceptance of presidentship had been announced in the press, would be coming forth to preside. But Mr. Zabur Ahmed, without giving any reasons for his absence, proposed, in one or two sentences, Maulana Shaukat Ali, who was already occupying the presidential chair, to the chair. He then called upon a few persons to second and support his proposal. Most of these persons were neither M.L.C.'s nor members of local bodies.

#### M. SHAUKAT ALI'S PRESIDENTIAL ADDRESS No 2.

Maulana Shaukat Ali said : 'Whatever I have said in my address to the Tanzeem Conference is enough. He, however, proceeded to say more.' He declared he did not believe in resolutions. The Muslims had taken the Congress out of the rut of resolutions, deputations and protests. He said no political movement could succeed in India which the Muslims had not joined. They might be weak, they might be poor, but they were possessed of one essential quality, viz.,—*deewangi*. He again referred to the uncomplimentary allegations made against him by some people. He declared he had not drawn his pension of Rs. 1,800 per annum for the last twelve years. He had collected Rs. 50,000 from Muslims and had erected the Khilafat House at Bombay which could accommodate the poor as well as the rich. During the last Hindu-Muslim disturbances at Bombay some 50 Kabulis who could not find safety anywhere else were accommodated in this building. He had handled thousands of rupees of Muslim money, and even now he was spending nearly Rs. 5,000 a month of Khilafat money which he collects every month to meet the requirements. It was, therefore, preposterous to allege that he would sell himself to Government for Rs. 25,000 or so. If any one wanted to make a plausible allegation he ought to have put the figure at least to one or two crores of rupees. He continued : 'There is an armistice for three months between us and the English. They would go to the Round Table Conference and present their demands. The British would have to say either yes or no to them. If they would not receive a satisfactory reply, they would come back and do in December what Mahatma Gandhi did in April' For the sake of the depressed classes, for the sake of the moderates and for the sake of unity, he pleaded for the acceptance of invitation to the Round Table Conference.

The conference then adjourned. In the afternoon the gathering passed resolutions first as the Conference of Members of U. P. Legislative Council and Local Bodies condemning civil disobedience, asking the Muslims not to join it and putting forward political demands on behalf of the community. Then the conference became a Tanzeem Conference and again passed a resolution condemning civil disobedience and asking Muslims not to take part in it and another calling upon the Muslims to organize themselves.

#### ANOTHER FARCE OF A CONFERENCE

On Monday morning, (21st July) according to the printed programme, the conference was to assemble at 8 a.m., but at that hour besides a few volunteers not a single soul had entered the hall. One by one the audience began to trickle and till about 9-30, some 150 persons had gathered. Then the organizers with Maulana Shaukat Ali entered the hall.

When they all had taken their seats one of the persons seated on the platform said to Maulana Shaukat Ali : Of course you are presiding. The Maulana replied : 'No. It is Ulema conference from half past eight'. Then Maulana Nisar Ahmed was proposed to the chair and the motion was duly seconded and supported. Some of the speakers said though they were themselves not Ulema, they were *Khadims of Ulema*. Maulana Nisar Ahmed then addressed the attenuated audience of yesterday as president of Ulema Conference. He said he had already had his say to that audience more than once yesterday, but at the request of certain people he would repeat himself. He again carried on his tirade against Pandit Malaviya, the late Swami Shradhanand, the Hindu Mahasabha, Hindu-Muslim unity and civil disobedience. And then again a resolution was passed condemning civil disobedience and advising Muslims not to participate in it. Then the so-called conferences terminated. (From "The Leader")

## The Muslim Nationalists' Conference

A big gathering of Mussalmans in connection with the Muslim Nationalists' Conference was held at the Ganga Prasad Hall, Lucknow on the 20th. July 1930. Not only every inch of its available space on the floor, on the galleries, and the corridors was filled but a large number of visitors had to be refused admission for lack of space. Seated behind purdah were several Muslim ladies who watched the proceedings. Dr. Ansari presided and prominent among those attending were Syed Hasan Imam, the Maharaja of Mahmudabad, Mufti Kifayatullah, Maulana Ataullah Shah Bokhari, Raja Nawab Ali, Maulana Kutbuddin Abdul Bari, Mr. Tasadduq Ahmed Sherwani, Sheikh Mushir Hussain Kidwai, Maulana Hussain Ahmad, Mr. Muhammad Ismail, Mr. Mujibur Rahman, Mr. Shamsuddin, Maulvi Tufail Ahmad, Hafiz Mohamed Ibrahim, Maulana Ahmad Said, Chowdhury Khaliquzzaman, Dr. Abdul Bari, Shaki Mirza Abid Hussain, Mr. Karrum Raza and Syed Mustafa Raja.

### RESOLUTION ON THE SIMON REPORT

Mr. Mohamad Ismail, moved the first resolution reading as follows :

"This conference of the nationalist Mussalmans of India expresses its sense of gratitude for the retrograde and reactionary character of the recommendation of the Simon Commission in having helped to cement the political unity of the people of India in general and the Mussalmans in particular and giving a fresh proof of the fact that the solution of our internal differences can best be achieved by mutual adjustments and not by the intervention of an interested third party."

The mover quoted extensively from the second part of the Simon Report to show where and how the recommendations were retrograde and reactionary.

He was followed by Raja Nawab Ali who again expressed regret for having ever been connected with the Simon Commission.

### CIVIL DISOBEDIENCE SUPPORTED.

Chowdhury Khaliquzzaman moved the second resolution which ran: "The conference joining issue with the statement that the campaign of civil disobedience is unconstitutional reiterates the opinion that in extreme circumstances, when a people is denied the just and legitimate rights, have exhausted all resources of protest by means of representation—the press, platform and public demonstrations—the only way to focus attention of the Government and the people to their age-long grievances is by means of mass action such as a general strike, a movement of non-cooperation or a campaign of civil disobedience and the responsibility for the far reaching effects of such mass action, when it is peaceful and non-violent on the one side and harsh violent, callous and even brutal on the other side, can hardly be disclaimed by the Government and laid at the doors of the injured and down-trodden people. This conference, however, considers that after the demonstration of the unparalleled spirit of determined resistance shown by the people in the face of methods of frightfulness practised by the agents of the Government, after the proof of the strength born of ready and willing sacrifice made by the nation and after certainty that India has attained a stature which precludes her from being bullied into submission, we should not be unwilling to consider any terms of honourable settlement if they are based on complete Dominion Status. The conference, however, considers no settlement would be acceptable to the country unless the Congress participates in it."

Chowdhry Khaliquzzaman moving the resolution said that the first portion of it was obvious truism. There was therefore little to say about it. The second portion enunciated under what conditions true representative Mussalmans could participate in the Round Table Conference. The first essential was that the basis of discussion should be whether there would be a Dominion status constitution for India. Secondly, the Mussalmans would participate only if the Congress was a party to it. The Congress, he added, was the only organized political party in India and a settlement arrived anywhere would be of any tangible value in India only if the Congress was a party to it or it met the Congress approval. Otherwise the settlement would be worse than useless. He was aware that there were some Mussalmans and some Hindus who were anxious to go to the Round Table Conference. Of course such people would go whether the conference was useful or useless. It was for the Hindus and Muslims alike to assert unequivocally that such people represented nobody. He was sure that Hindus would disown such selfseekers promptly. He would appeal to the nationalist Mussalmans to take equally prompt measures. The narrow vision of the communalists had enough play. It was time for the nationalists to assert themselves and say 'You

have no business to stigmatise the Muslims of this generation eternally.' Let not the future generation point the finger of opprobrium at you and say that you were the men who deliberately aided the process of keeping India in bondage longer than was otherwise possible.

Hafiz Mohammad Ibrahim seconding the resolution said that it was idle for the Mussalmans to expect an extraordinary concession from the British. They would never get it and even if in her own ignoble interest Britain made large promises she was not in a position to deliver the goods.

#### AN AMENDMENT

Mr. Abdul Bari Shaki moved an amendment to the effect that Mussalmans would join the Round Table Conference only if the basis of discussion was an independent India and only when all the political prisoners in India had been unconditionally released and all repressions suspended.

In a strong speech he detailed the measures adopted by the Government at Peshawar, Bombay, Lucknow, Patna and other places and said that it did not appear to him that Britain was anxious to keep for long the connection with India which Dominion Status connoted.

Mr. Tasadduq Ahmed Sherwani advising Mr. Bari to withdraw the amendment assured him that the Congress would not agree to participate in the conference unless all the political prisoners were released and that the conference implied a climbing down on either side.

After a heated discussion the amendment was withdrawn and the original resolution was carried without opposition.

#### CONGRATULATIONS TO MUSLIM PRISONERS

Mufti Kifayatullah next moved a resolution congratulating all patriotic Muslims who had gone to jail in the present struggle for freedom expressing sincere condole with the relatives of the martyrs who had sacrificed their lives for the cause.

"Further the conference, in view of sacrifices made by the Musalmans of the N. W. P. Province, the Punjab, Bihar, Bombay and other provinces in the struggle for freedom, refutes the baseless statements made by the Government and interested persons that the Mussalmans has not participated as a community in the cause of emancipation of their Motherland".

The Maulana moving the resolution said that it was a libel on the Muslims to say that the in teeth of struggle for freedom they of all people kept aloof.

Mr. Tasadduq Sherwani supported the resolution and hoped that at some future time the Hindus might not take up this parrot cry of the Government and treat the Muslims accordingly. He would urge upon the Muslims to give the lie direct to these sort of talk by joining the civil disobedience movement in large numbers.

The resolution was carried unanimously and the conference adjourned.

### The Behar Muslim Nationalists' Conference

A conference of the nationalist Mussalmans of Bihar was held at Patna on the 15th. and 16th. July in the Bhawarpokhar park grounds. A very large and distinguished gathering was present on both days; about a hundred and fifty delegates had come from all over the province. The conference was held in the open air and attracted besides delegates a very large number of other people as well in which Muslims of course predominated. Honoured and distinguished guests like Maulanas Hussain Ahmad of Deoband, Ahmad Sayeed Ataullah Shah Bukhari and Abdul Halim Siddique who were specially invited were present.

On the first day the conference met in the evening at about half past seven and prominent among those present besides the distinguished guests and the chairman of the reception committee Maulana Sajjad, were Mr. Hasan Imam, Mr. Shah Muhammad Zubair, Prof. Abdul Bari, Mr. Abdul Wadood, Mr. Niamutullah, and Mr. Manzar Ali Nadvi. Maulana Hussain Ahmad Sahab presided.

After the speech of the chairman of the reception committee who showed how it was the religious duty of every Muslim to strive for the freedom of the country, the president delivered his address. He spoke for well about four hours, in the course of which he dealt with a mass of facts and figures showing the economic



distress of the country caused by foreign exploitation and also referred to British policy regarding Asiatic countries in general and Islamic countries in particular and exhorted the Muslims to join whole-heartedly the present struggle for freedom. For when they achieved their own freedom they would be relieving not only themselves of their economic distress but they would be of real and substantial help to other Islamic countries as well in their attempt to relieve themselves of their distress.

Mr. Ahmed Sayeed also spoke for sometime and urged the Muslims to join the fight for freedom if not for any other reason at least for relieving India of her economic distress. The conference then adjourned at about one in the night.

Next day the 15th. JULY, the subjects committee met in the morning and the conference in the evening at about half past seven. A number of resolutions were adopted, the more important of which were as follows:—

#### SIMON REPORT CONDEMNED

The first resolution was moved by Mr. Shah Muhammad Zubair which condemned in unequivocal terms the recommendations of the Simon Commission from both the Muslim and the Indian point of view as totally unacceptable and insulting.

It condemned the Viceregal statement as well, for it bore testimony to the fact that the British Government was as unmindful of Indian aspirations as before and that the policy of exploitation was still reigning supreme. Under the circumstance the conference expressed its utter want of confidence in and aloofness from the Round Table Conference and declared that those Musalmans who would go to the conference would not be true representatives of the Musalman community and the latter would not accept them as such. The resolution was seconded by Mr. Wadood of Darbhanga and carried unanimously.

#### INDEPENDENCE

Prof. Bari next moved that to strive for independence was the religious duty of the Mussalmans and to attain that object the conference approved of Musalmans joining the civil disobedience movement.

The conference also declared its entire confidence in the resolutions of the Jamaitul-ulema passed at Amroha.

Maulavi Abdul Bari Md. Saqui seconded the resolution which was carried unanimously.

#### CIVIL DISOBEDIENCE

Maulavi Nooruddin of Santhal Parganas moved the third resolution appealing to the Mussalmans to join this struggle in keeping with their traditions and natural instincts.

Maulvi Zakaria of Darbhanga seconded and Maulvi Jaffar Imam of Patna supported the resolution and it was carried unanimously.

The fourth resolution was moved by Maulavi Sodraddin of Bihar. In this the conference declared its entire confidence in the resolution of the Congress Working Committee passed on June 7 at Allahabad in which it was declared unequivocally to provide safeguards for Muslim culture, education and religion in any constitution that might be framed hereafter and that no constitution which would not be approved by the Mussalmans and other minority communities would be acceptable to the Congress. The conference further expected of those Mussalmans who had still doubt against the Congress that they would be satisfied after this assurance given by the Congress and would join the civil disobedience movement whole-heartedly.

Syed Shah Rashid Sajjad of Bihar seconded the resolution which was carried unanimously.

Maulvi Ehtamad of Patna moved the next resolution admiring the sacrifices made by the Mussalmans in the struggle for freedom; particularly it admired the spirit of sacrifice of the Peshwar martyrs.

When the resolution condemning the Simon Commission recommendations was being discussed somebody threw three stones which hit two members of the audience. Immediately volunteers were posted round the gathering and nothing untoward happen again. (From "the Leader.")

## The All India Muslim League

The twenty-first session of the All-India Muslim League opened at Allahabad on the 29th. December 1930 under the presidentship of Dr. Sir Muhammad Iqbal of Lahore.

It was not possible to obtain the number of delegates who had arrived at Allahabad from other parts of the country. Among those who were present at the morning's sitting of the League were, it was said, a few from Karachi, one from Behar, some from the Punjab, one from Hyderabad (Sind) and several from the United Provinces. Of the audience of about 600 persons, a large majority were local people. Besides, several honorary magistrates of Allahabad and several Government officials were also present.

Among the delegates, who were reported to have arrived from outstations may be mentioned Seth Abdullah Haroon, M. L. A. (Karachi), Seth Taiyab Ali (Karachi), Mr. Abdul Majid (Hyderabad, Sind), Nawab Ismail Khan (Meerut), Maulvi Alauddin (Meerut), Maulana S. Sadiq (Punjab), Maulana Abdul Khair (Ghazipur), Khan Bahadur Barkatullah (Ghazipur), Shah Nazir Hasan, M. L. C. (Behar), Maulvi Abdul Kafi (Cawnpore), Maulvi Abdus Samad (Badaun), Mr. Azhar Ali, M. L. A. (Lucknow), Syed Husain Imam, (Patna), Maulana Abdul Majid (Badaun), Syed Zakir Ali (Lucknow), Syed Habib (Lahore), and Maulvi Qadir (Lahore).

### WELCOME ADDRESS

The proceedings commenced at about 11 a. m., Mr. Muhammad Hussain, chairman of the reception committee, welcomed the delegates. In the course of his speech he said that the Muslims had left no stone unturned in trying to arrive at some settlement with the Hindus, but they could not. He repudiated the charge that the Muslims due to communalism were an obstacle in the progress of the country. He claimed that Islam and slavery were two diametrically opposite things and a Muslim never wanted to be anybody's slave.

He asserted that if the mentality of the Hindus changed to-day and the Muslims were assured that their traditions, their religion, their education and their language not be annihilated and that they would be treated like other sons of India, the Muslims would never bring upon their tongue the question of the protection of their rights. But their past experience in local boards, in every department of the administration and even in trade had been to the contrary.

Proceeding, Mr. Muhammad Husain expressed his feelings of appreciation of the attitude of the Muslim delegates to the Round Table Conference. He warned the Government that in case no solution of the difficulties was effected at the Round Table Conference, the Muslims would not hesitate to make any sacrifice in order to secure the fulfilment of their demands.

### TEXT OF PRESIDENTIAL ADDRESS

Dr. Sir Muhammad Iqbal next delivered his presidential address, at the conclusion of which Mr. Muhammad Yakub, general secretary of the Muslim League, explained the substance of the presidential address in the vernacular as an overwhelming majority of the gathering seemed to be ignorant of the English language in which the address was delivered. The following is the full text of Sir M. Iqbal's address :—

Gentlemen,—I am deeply grateful to you for the honour you have conferred upon me in inviting me to preside over the deliberations of the All-India Muslim League at one of the most critical moments in the history of Muslim political thought and activity in India. I have no doubt that in this great assembly there are men whose political experience is far more extensive than mine, and for whose knowledge of affairs I have the high respect. It will, therefore, be presumptuous on my part to claim to guide an assembly of such men in the political decisions which they are called upon to make to-day. I lead no party; I follow no leader. I have given the best part of my life to a careful study of Islam, its law and polity, its culture, its history and its literature. This constant contact with the spirit of Islam,

as it unfolds itself in time has, I think, given me a kind of insight into its significance as a world fact. It is in the light of this insight whatever its value, that while assuming that the Muslims of India are determined to remain true to the spirit of Islam, I propose, not to guide you in your decision, but to attempt the humbler task of bringing clearly to your consciousness the main principle which, in my opinion, should determine the general character of these decisions.

#### ISLAM AND NATIONALISM

It cannot be denied that Islam, regarded as an ethical ideal plus a certain kind of policy—by which expression I mean a social structure, regulated by a legal system and animated by a specific ethical ideal—has been the chief formative factor in the life-history of the Muslims of India. It has furnished those basic emotions and loyalties which gradually unify scattered individuals and groups, and finally transform them into a well defined people, possessing a moral consciousness of their own. Indeed it is no exaggeration to say that India is perhaps the only country in the world where Islam, as a people-building force, has worked at its best. In India, as elsewhere, the structure of Islam as a society is almost entirely due to the working of Islam as a culture inspired by a specific ethical ideal. What I mean to say is that Muslim society, with its remarkable homogeneity and inner unity, has grown to be what it is, under the pressure of the laws and institutions associated with the culture of Islam. The ideas set free by European political thinking, however, are now rapidly changing the outlook of the present generation of Muslims both in India and outside India. Our younger men inspired by these ideas, are anxious to see them as living forces in their own countries, without any critical appreciation of the facts which have determined their evolution in Europe. In Europe Christianity was understood to be a purely monastic order which gradually developed into a vast church-organisation. The protest of Luther was directed against the church-organisation, not against any system of policy of a secular nature, for the obvious reason that there was no such polity associated with Christianity. And Luther was perfectly justified in rising in revolt against this organisation; though, I think, he did not realise that in the peculiar condition which obtained in Europe his revolt would eventually mean the complete displacement of the universal ethics of Jesus by the growth of a plurality of national and hence narrower systems of ethics. Thus the upshot of the intellectual movement initiated by such men as Rousseau and Luther was the break-up of the one into a mutually ill-adjusted many, the transformation of a human into a national outlook, requiring a more realistic foundation, such as the notion of country, and finding expression through varying systems of polity evolved on national lines i. e. on lines which recognise territory as the only principle of political solidarity. If you begin with the conception of religion as complete other worldliness, then what has happened to Christianity in Europe is perfectly natural. The universal ethics of Jesus is displaced by national systems of ethics and polity. The conclusion to which Europe is consequently driven is that religion is a private affair of the individual and has nothing to do with what is called man's temporal life. Islam does not bifurcate the unity of man into an irreconcilable duality of spirit and matter. In Islam God and the universe, spirit and matter, church and state, are organic to each other. Man is not the citizen of a profane world to be renounced in the interest of a world spirit situated elsewhere. To Islam matter is spirit realizing itself in space and time. Europe uncritically accepted the duality of spirit and matter probably from Mannichæan thought. Her best thinkers are realizing this initial mistake to-day, but her statesmen are indirectly forcing the world to accept it as an unquestionable dogma. It is, then, this mistaken separation of spiritual and temporal which has largely influenced European religious and political thought and has resulted practically in the total exclusion of Christianity from the life of European states. The result is a set of mutually ill-adjusted states dominated by interests, not human but national. And these mutually ill-adjusted states, after trampling over the moral and religious convictions of Christianity, are to-day feeling the need of a federated Europe i.e., the need of a unity which the Christian church-organisation originally gave them, but which, instead of reconstructing in the light of Christ's vision of human brotherhood, they considered it fit to destroy under the inspiration of Luther. A Luther in the world of Islam, however, is an impossible phenomenon; for here there is no Church-organisation, similar to that of Christianity in the middle ages, inviting a destroyer. In the world of Islam we have a universal polity whose fundamentals are believed to have been revealed, but whose structure, owing to our legists' want of contact with the modern world

stands to day in need of renewed power by fresh adjustments. I do not know what will be the final fate of the national idea in the world of Islam. Whether Islam assimilate and transform it, as it has assimilated and transformed before many ideas expressive of a different spirit, or allow a radical transformation of its own structure by the force of this idea, is hard to predict. Professor Wensinck of Leiden (Holland) wrote to me the other day : "It seems to me that Islam is entering upon a crisis through which Christianity has been passing for more than a century. The great difficulty is now to save foundations of religion when many antiquated notions have to be given up. It seems to me scarcely possible to state what the outcome will be for Christianity, still less what it will be for the Islam". At the present moment the national idea is racialising the outlook of Muslims, and thus materially counteracting the humanising work of Islam. And the growth of racial consciousness may mean the growth of standard different and even opposed to the standards of Islam. I hope you will pardon me for this apparently academic discussion. To address this session of the All-India Muslim League you have selected a man who is not despaired of Islam as a living force for freeing the outlook of man from its geographical limitations, who believes that religion is a power of the utmost importance in the life of individuals as well as states, and finally who believes that Islam is itself Destiny and will not suffer a Destiny! Such a man cannot but look at matters from his own point of view. Do not think that the problem I am indicating is a purely theoretical one. It is a very living and practical problem calculated to affect the very fabric of Islam as a system of life and conduct. On a proper solution of it alone depends your future as a distinct cultural unit in India. Never in our History Islam has had to stand a greater trial than the one which confronts it to-day. It is open to a people to modify, reinterpret or reject the foundational principles of their social structure ; but it is absolutely necessary for them to see clearly what they are doing before they undertake to try a fresh experiment. Nor should the way in which I am approaching this important problem lead anybody to think that I intend to quarrel with those who happen to think differently. You are a Muslim assembly and, I suppose, anxious to remain true, to the spirit and ideals of Islam. My sole desire, therefore, is to tell you frankly what I honestly believe to be the truth about the present situation. In this way alone it is possible for me to illuminate, according to my light, the avenues of your political action.

#### THE UNITY OF AN INDIAN NATION

What then, is the problem and its implications ? Is religion a private affair ? Would you like to see Islam, as a moral and political ideal, meeting the same fate in the world of Islam as Christianity has already met in Europe ? Is it possible to retain Islam as an ethical ideal and to reject it as a polity in favour of national polities in which religious attitude is not permitted to play any part ? This question becomes of special importance in India where the Muslims happen to be in a minority. The proposition that religion is a private individual experience is not surprising on the lips of a European. In Europe the conception of Christianity as a monastic order, renouncing the world of matter and fixing its gaze entirely on the world of spirit, led, by a logical process of thought, to the view embodied in this proposition. The nature of the Prophet's religious experience, as disclosed in the Quran, however, is wholly different. It is not mere experience in the sense of a purely biological event, happening inside the experiment and necessitating no reactions on its social environment. It is individual experience creative of a social order. Its immediate outcome is the fundamentals of a polity with implicit legal concepts whose civic significance cannot be belittled merely because their origin is revelational. The religious ideal of Islam, therefore, is organically related to the social order which it has created. The rejection of the one will eventually involve the rejection of the other. Therefore the construction of a polity on national lines if it means a displacement of the Islamic principle of solidarity, is simply unthinkable to a Muslim. This is a matter which at the present moment directly concerns the Muslims of India. "Man," says Renan, "is enslaved neither by his race, nor by his religion, nor by the course of rivers, nor by the direction of mountain ranges. A great aggregation of men, sane of mind and warm of heart, creates a moral consciousness which is called a nation." Such a formation is quite possible, though it involves the long and arduous process of practically re-making men and furnishing them with a fresh emotional equipment. It might have been a fact in India if the teaching of Kabir and the Divine Faith of Akbar had seized the

imagination of the masses of this country. Experience, however, shows that the various caste-units and religious units in India have shown no inclination to sink their respective individualities in a larger whole. Each group is intensely jealous of the collective existence. The formation of the kind of moral consciousness which constitutes the essence of a nation in Renan's sense demands a price which the peoples of India are not prepared to pay. The unity of an Indian nation, therefore, must be sought, not in the negation, but in the mutual harmony and co-operation of the many. True statesmanship cannot ignore facts, however unpleasant they may be. The only practical course is not to assume the existence of a state of things which does not exist, but to recognize facts as they are, and to exploit them to our greatest advantage. And it is on the discovery of Indian unity in this direction that the fate of India as well as of Asia really depends. India is Asia in miniature. Part of her people have cultural affinities with nations in the East, and part with nations in the middle and west of Asia. If an effective principle of co-operation is discovered in India it will bring peace and mutual good will to this ancient land which has suffered so long, more because of her situation in historic space than because of any inherent incapacity of her people. And it will at the same time solve the entire political problem of Asia.

It is, however, painful to observe that our attempts to discover such a principle of internal harmony have so far failed. Why have they failed? Perhaps, we suspect each other's intentions, and inwardly aim at dominating each other. Perhaps, in the higher interests of mutual co-operation, we cannot afford to part with the monopolies which circumstances have placed in our hands and conceal our egoism under the cloak of a nationalism, outwardly simulating a large-hearted patriotism, but inwardly as narrow-minded as a caste or tribe. Perhaps, we are unwilling to recognize that each group has a right to free development according to its own cultural traditions. But whatever may be the causes of our failure, I still feel hopeful. Events seem to be tending in the direction of some sort of internal harmony. And as far as I have been able to read the Muslim mind, I have no hesitation in declaring that, if the principle that the Indian Muslim is entitled to full and free development on the lines of his own culture and tradition in his own Indian home lands is recognized as the basis of a permanent communal settlement, he will be ready to stake his all for the freedom of India. The principle that each group is entitled to free development on its own lines is not inspired by any feeling of narrow communalism. There are communalisms and communalisms. A community which is inspired by a feeling of ill-will towards other communities is low and ignoble. I entertain the highest respect for the customs, laws, religious and social institutions of other communities. Nay, it is my duty, according to the teaching of the Quran, even to defend their places of worship if need be. "Yet I love the communal group which is the source of my life and behaviour; and which has formed me what I am by giving me its religion, its literature, its thought, its culture, and thereby recreating its whole past, as a living operative factor, in my present consciousness." Even the authors of the Nehru Report recognise the value of this higher aspect of communalism. While discussing the separation of Sind they say: "To say from the view-point of nationalism that no communal provinces should be created is, in a way, equivalent to saying from the still wider international view-point that there should be no separate nations. Both these statements have a measure of truth in them. But the staunchest internationalist recognises that without the fullest national autonomy it is extraordinarily difficult to create the international state. "So also, without the fullest cultural autonomy, and communalism in its better aspect is culture, it will be difficult to create a harmonious nation."

#### MUSLIM INDIA WITHIN INDIA

Communalism, in its higher aspect, then, is indispensable to the formation of a harmonious whole in a country like India. The units of Indian society are not territorial as in European countries. India is a continent of human groups belonging to different races, speaking different languages and professing different religions. Their behaviour is not at all determined by a common race-consciousness. Even the Hindus do not form a homogeneous group. The principle of European democracy cannot be applied to India without recognising the fact of communal groups. The Muslim demand for the creation of a Muslim India is, therefore, perfectly justified. The resolution of the All-Parties Muslim Conference at Delhi is to my mind wholly inspired by this noble ideal of a harmonious whole which, instead of stifling the respective individualities of its component wholes,

affords them chances of fully working out the possibilities that may be latent in them. And I have no doubt that this house will emphatically endorse the Muslim demand embodied in this resolution. Personally I would go further than the demands embodied in it. I would like to see the Punjab, North-West Frontier Province, Sind and Baluchistan amalgamated into a single state. Self-Government within the British Empire, or without the British Empire, the formation of a consolidated North-West Indian Muslim state appears to me to be the final destiny of the Muslims at least of North-West India. The proposal was put forward before the Nehru Committee. They rejected it on the ground that, if carried into effect, it would give a very unwieldy state. This is true in so far as the area is concerned; in point of population the state contemplated by the proposal would be much less than some of the present Indian provinces. The exclusion of Ambala

Division and perhaps of some districts where non-Muslims predominate, will make it less extensive and more Muslim in population—so that the exclusion suggested will enable this consolidated state to give a more effective protection to non-Muslim minorities within its area. The idea need not alarm the Hindus or the British. India is the greatest Muslim country in the world. The life of Islam as a cultural force in this living country very largely depends on its centralisation in a specified territory. This centralisation of the most living portion of the Muslims of India whose military and police service has, notwithstanding unfair treatment from the British, made the British rule possible in this country, will eventually solve the problem of India as well as of Asia. It will intensify their sense of responsibility and deepen their patriotic feeling. Thus, possessing full opportunity of development within the body-politic of India the North West Indian Muslims will prove the best defenders of India against a foreign invasion, be that invasion the one of ideas or bayonets. The Punjab with fifty-six per cent Muslim population supplies fifty-four per cent of the total combatant troops in the Indian army and if the nineteen thousand Gurkhas recruited from the independent state of Nepal are excluded, the Punjab contingent amounts to sixty-two per cent of the whole Indian Army. This percentage does not take into account nearly six thousand combatants supplied to the Indian Army by the North-West Frontier Province and Baluchistan. From this you can easily calculate the possibilities of North-West Indian Muslims in regard to the defence of India against foreign aggression. The Right Hon'ble Mr. Srinivasa Sastri thinks that the Muslim demand for the creation of autonomous Muslim states along the North-West border is actuated by a desire "to acquire means of exerting pressure in emergencies on the Government of India." I may frankly tell him that the Muslim demand is not actuated by the kind of motive he imputes to us; it is actuated by a genuine desire for free development which is practically impossible under the type of unitary government contemplated by the nationalist Hindu politicians with a view to secure permanent communal dominance in the whole of India.

Nor should the Hindus fear that the creation of autonomous Muslim states will mean the introduction of a kind of religious rule in such States. I have already indicated to you the meaning of the word religion, as applied to Islam. The truth is that Islam is not a church. It is State, conceived as a contractual organism long long before Rousseau ever thought of such a thing, and animated by an ethical ideal which regards man not as an earth-rooted creature, defined by this or that portion of the earth, but as a spiritual being understood in terms of a social mechanism, and possessing rights and duties as a living factor in that mechanism. The character of a Muslim State can be judged from what "The Times of India" pointed out some time ago in a leader on the Indian Banking Inquiry Committee. "In ancient India" the paper points out, "the State framed laws regulating the rates of interests; but in Muslim times although Islam clearly forbids the realisation of interest on money loaned, Indian Muslim States imposed no restrictions on such rates." I therefore demand the formation of a consolidated Muslim State in the best interests of India and Islam. For India it means security and peace resulting from an internal balance of power; for Islam an opportunity to rid itself of the stamp that Arabian Imperialism was forced to give it, to mobilize its laws, its education, its culture and to bring them into closer contact with its own original spirit and with the spirit of modern times.

#### FEDERAL STATES

Thus it is clear that in view of India's infinite variety in climates, races, languages, creeds and social systems the creation of autonomous states based on the unity of

language, race, history, religion and identity of economic interests, is the only possible way to secure a stable constitutional structure in India. The conception of federation underlying the Simon Report necessitates the abolition of the central Legislative Assembly as a popular assembly and makes it an assembly of the representatives of federal states. It further demands a redistribution of territory on the lines which I have indicated. And the Report does recommend both. I give my whole-hearted support to this view of the matter and I venture to suggest that the redistribution recommended in the Simon Report must fulfil two conditions. It must precede the introduction of the new constitution and must be so devised as to finally solve the communal problem. Proper redistribution will make the question of joint and separate electorates automatically disappear from the constitutional controversy of India. It is the present structure of the provinces that is largely responsible for this controversy. The Hindu thinks that separate electorates are contrary to the spirit of true nationalism because he understands the word nation to mean a kind of universal amalgamation in which no communal entity ought to retain its private however does not exist. Nor is it desirable that it should exist. India is a land of racial and religious variety. Add to this the general economic inferiority of the Muslims, their enormous debt, especially in the Punjab, and their insufficient majorities in some of the provinces as at present constituted and you will begin to see clearly the meaning of our anxiety to retain separate electorates. In such a country and in such circumstances territorial electorates cannot secure adequate representation of all interests, and most inevitably lead to the creation of an oligarchy. The Muslims of India can have no objection to purely territorial electorates if provinces are demarcated so as to secure comparatively homogeneous communities possessing linguistic, racial, cultural and religious unity.!

#### FEDERATION AS UNDERSTOOD IN THE SIMON REPORT

But in so far as the question of the powers of the Central Federal State is concerned, there is a subtle difference of motive in the constitutions proposed by the Pandits of India and the Pandits of England. The Pandits of India do not disturb the central authority as it stands at present. All that they desire is that this authority should become fully responsible to the Central Legislature which they maintain intact, and where their majority will become further reinforced on the nominated element ceasing to exist. The Pandits of England, on the other hand, realising that democracy in the centre tends to work contrary to their interests and is likely to absorb the whole power now in their hands in case a further advance is made towards responsible government, have shifted the experiment of democracy from the centre to the provinces. No doubt, they introduce the principle of federation and appear to have made a beginning by making certain proposals, yet their evaluation of this principle is determined by considerations wholly different to those which determine its value in the eyes of Muslim India. The Muslims demand federation because it is pre-eminently a solution of India's most difficult problem i. e., the communal problem. The Royal Commissioner's view of federation, though sound in principle, does not seem to aim at responsible Government for federal states. Indeed it does not go beyond providing means of escape from the situation which the introduction of democracy in India has created for the British, and wholly disregards the communal problem by leaving it where it was.

Thus it is clear that, in so far as real federation is concerned, the Simon Report virtually negatives the principle of federation in its true significance. The Nehru Report realising Hindu majority in the Central Assembly reaches a unitary form of government because such an institution secures Hindu dominance throughout India; the Simon Report retains the present British Dominance behind the thin veneer of an unreal federation, partly because the British are naturally unwilling to part with the power they have so long wielded and partly because it is possible for them, in the absence of an inter-communal understanding in India, to make out a plausible case for the retention of that power in their own hands. To my mind a unitary form of government is simply unthinkable in a self-governing India. What is called 'residuary powers' must be left entirely to self-governing states, the Central Federal state exercising only those powers which are expressly vested in it by the free consent of federal states. I would never advise the Muslims of India to agree to a system whether of British or of Indian origin, which virtually negatives the principle of true federation, or fails to recognise them as a distinct political entity.

## FEDERAL SCHEME AS DISCUSSED IN THE ROUND TABLE CONFERENCE

The necessity for a structural change in the Central Government was seen probably long before the British discovered the most effective means for introducing this change. That is why at rather a late stage it was announced that the participation of the Indian Princes in the Round Table Conference was essential. It was a kind of surprise to the people of India, particularly the minorities, to see the Indian Princes dramatically expressing their willingness at the Round Table Conference to join an All-India Federation, and, as a result of their declaration, Hindu delegates—uncompromising advocates of a unitary form of Government—quietly agreeing to the evolution of a federal scheme. Even Mr. Shastri who, only a few days before, had severely criticised Sir John Simon for recommending a federal scheme for India, suddenly became a convert and admitted his conversion in the plenary session of the Conference—thus offering the Prime Minister of England an occasion for one of his wittiest observations in his concluding speech. All this has a meaning both for the British who have sought the participation of the Indian Princes, and the Hindus who have unhesitatingly accepted the evolution of an All-India Federation. The truth is that the participation of the Indian Princes—among only a few are Muslims—in a federation scheme serves double purpose. On the one hand it serves as an all-important factor in maintaining the British power in India practically as it is, on the other hand it gives overwhelming majority to the Hindus in an All-India Federal Assembly. It appears to me that the Hindu-Muslim differences regarding the ultimate form of the Central Government are being cleverly exploited by British politicians through the agency of the Princes who see in the scheme prospects of better security for their despotic rule. If the Muslims silently agree to any such scheme it will simply hasten their end as a political entity in India. The policy of the Indian Federation, thus created, will be practically controlled by Hindu Princes forming the largest group in the Central Federal Assembly. They will always lend their support to the Crown in matters of Imperial concern; and in so far as internal administration of the country is concerned they will help in maintaining and strengthening the supremacy of the Hindus. In other words the scheme appears to be aiming at a kind of understanding between Hindu India and British Imperialism—you perpetuate me in India, and in return I give you a Hindu oligarchy to keep all other Indian communities in perpetual subjection. If, therefore, the British Indian provinces are not transformed into really autonomous states, the Princes' participation in a scheme of Indian federation will be interpreted only as a dexterous move on the part of British politicians to satisfy, without parting with any real power, all parties concerned—Muslims with the word federation, Hindus with a majority in the centre, and British Imperialists—whether Tory or Labourite—with the 'substance' of real power.

The number of Hindu states in India is far greater than Muslim states; and it remains to be seen how the Muslim demand for 33 percent seats in the Central Federal Assembly is to be met with in a House or Houses constituted of representatives taken from British India as well as Indian states. I hope the Muslim delegates are fully aware of the implications of the federal scheme as discussed in the Round Table Conference. The question of Muslim representation in the proposed All-India Federation has not yet been discussed. "The interim report" says Reuter's summary, "contemplates two chambers in the Federal Legislature—each containing representatives both of British India and States, the proportion of which will be a matter of subsequent consideration under the heads which have not yet been referred to the Sub-Committee." In my opinion the question of proportion is of the utmost importance, and ought to have been considered simultaneously with the main question of the structure of the Assembly.

The best course, I think, would have been to start with a British Indian Federation only. A federal scheme born of an unholy union between democracy and despotism cannot but keep British India in the same vicious circle of a unitary Central Government.

They get majority rights in five out of six powers, and one-third share of seats in the total house of the Federal Assembly. In so far as the attainment of sovereign powers by the British Indian Provinces is concerned the position of H. H. the Ruler of Bhopal, Sir Akbar Hydari and Mr. Jinnah is unassailable. In view, however, of the participation of the Princes in the Indian Federation we must now



see our demand for representation in the British Indian Assembly in a new light. The question is not one of Muslim share in a British Indian Assembly, but one which relates to representation of British Indian Muslims in an All-India Federal Assembly. Our demand for 33 per cent must now be taken as a demand for the same proportion in the All-India Federal Assembly exclusive of the share allotted to the Muslim States entering the Federation.

#### THE PROBLEM OF DEFENCE

The other difficult problem which confronts the successful working of a Federal system in India is the problem of India's defence. In their discussion of this problem the Royal Commissioners have marshalled all the deficiencies of India in order to make out a case for Imperial administration of the army. "India and Britain", say the Commissioners "are so related that India's defence cannot now or in any future which is within sight, be regarded as a matter of purely Indian concern. The control and direction of such an army must rest in the hands of agents of the Imperial Government. Now, does it necessarily follow from this that further progress towards the realization of responsible government in British India is barred until the work of defence can be adequately discharged without the help of British officers and British troops? As things are, there is a block on the line of constitutional advance. All hopes of evolution in the Central Government towards the ultimate goal described in the declaration of 20th August 1917 are in danger of being indefinitely frustrated if the attitude illustrated by the Nehru Report is maintained that any future change involves the putting of the administration of the army under the authority of an elected Indian Legislature." Further to fortify their argument they emphasise the fact of competing religious and rival races of widely different capacity, and try to make the problem look insoluble by remarking that "the obvious fact that India is not, in the ordinary and natural sense, a single nation is nowhere made more plain than in considering the difference between the martial races of India and the rest." These features of the question have been emphasised in order to demonstrate that the British are not only keeping India secure from foreign menace but are also the "neutral guardians" of internal security. However, in federated India, as I understand federation, the problem will have only one aspect i.e., external defence. Apart from provincial armies necessary for maintaining internal peace, the Indian Federal Congress can maintain, on the North-West Frontier, a strong Indian Frontier Army composed of units recruited from all provinces and officered by efficient and experienced military men taken from all communities. I know that India is not in possession of efficient military officers, and this fact is exploited by the Royal Commissioners in the interest of an argument for Imperial administration. On this point I cannot but quote another passage from the Report which, to my mind, furnishes the best argument against the position taken up by the Commissioners. "At the present moment" says the Report, "no Indian holding the King's Commission is of higher army rank than a captain. There are, we believe, 39 captains of whom 25 are in ordinary regimental employ. Some of them are of an age which would prevent their attaining much higher rank, even if they passed the necessary examination before retirement. Most of these have not been through Sandhurst but got their Commissions during the Great war. Now, however genuine may be the desire and however earnest the endeavour to work for the transformation, the overriding conditions so forcibly expressed by the Sken Committee (whose members, apart from the Chairman and the army Secretary, were Indian gentlemen) in the words 'Progress...must be contingent upon success being secured at each stage and upon military efficiency being maintained through', must in any case render such development measured and slow. A higher command cannot be evolved at short notice out of existing cadres of Indian officers, all of junior rank and limited experience. Not until the slender trickle of suitable Indian recruits for the officer class—and we earnestly desire an increase in their numbers—flows in much greater volume, not until sufficient Indians have attained the experience and training requisite to provide all the officers for, at any rate, some Indian regiments, not until such units have stood the only test which can possibly determine their efficiency, and not until Indian officers have qualified by a successful army career for high command, it will be possible to develop the policy of Indianisation to a point which will bring a completely Indianised army within sight. Even then years must elapse before the process could be completed".

Now I venture to ask who is responsible for the present state of things? Is it

due to some inherent incapacity of our martial races or to the slowness of the process of military training? The military capacity of our martial races is undeniable. The process of military training may be slow as compared to other processes of human training. I am no military expert to judge this matter. But as a layman I feel that the argument, as stated, assumes the process to be practically endless. This means perpetual bondage for India, and makes it all the more necessary that the Frontier Army, as suggested by the Nehru Report, be entrusted to the charge of a committee of defence the personnel of which may be settled by mutual understanding.

Again it is significant that the Simon Report has given extraordinary importance to the question of India's land frontier, but has made only passing reference to its naval position. India has doubtless had to face invasions from her land frontiers; but it is obvious that her present master took possession of her on account of her defenceless sea coast. A self-governing and free India, will, in these days, have to take greater care of her sea coast than land frontiers.

I have no doubt that if a Federal Government is established Muslim federal states will willingly agree, for purposes of India's defence, to the creation of neutral Indian military and naval forces. Such a neutral military force for the defence of India, was a reality in the days of Mughal Rule. Indeed in the time of Akbar the Indian frontier was, on the whole, defended by armies officered by Hindu generals. I am perfectly sure that the scheme of a neutral Indian army, based on a federated India, will intensify Muslim patriotic feeling, and finally set at rest the suspicion, if any, of Indian Muslims joining Muslims from beyond the frontier in the event of an invasion.

#### THE ALTERNATIVE

I have thus tried briefly to indicate the way in which the Muslims of India ought, in my opinion, to look at the two most important constitutional problems of India. A redistribution of British India, calculated to secure a permanent solution of the communal problem is the main demand of the Muslims of India. If, however, the Muslim demand of a territorial solution of the communal problem is ignored, then I support, as emphatically as possible, the Muslim demands repeatedly urged by the All-India Muslim League and the All-India Muslim Conference. The Muslims of India cannot agree to any constitutional changes which affect their majority rights, to be secured by separate electorates, in the Punjab and Bengal, or fail to guarantee them 33 percent representation in any Central Legislature. There were two pitfalls into which Muslim political leaders fell. The first was the repudiated Lucknow Pact which originated in a false view of Indian nationalism, and deprived the Muslims of India from chances of acquiring any political power in India. The second is the narrow-visioned sacrifice of Islamic solidarity in the interests of what may be called Punjab Ruralism resulting in a proposal which virtually reduces the Punjab Muslims to a position of minority. It is the duty of the League to condemn both the Pact and the proposal.

The Simon Report does great injustice to the Muslims in not recommending a statutory majority for the Punjab and Bengal. It would either make the Muslims stick to the Lucknow Pact or agree to a scheme of joint electorates. The despatch of the Government of India on the Simon Report admits that since the publication of that document the Muslim community has not expressed its willingness to accept any of the alternatives proposed by the Report. The despatch recognises that it may be a legitimate grievance to deprive the Muslims in the Punjab and Bengal of representation in the councils in proportion to their population merely because of weightage allowed to Muslim minorities elsewhere. But the despatch of the Government of India fails to correct the injustice of the Simon Report. In so far as the Punjab is concerned—and this is the more crucial point—it endorses the so-called 'carefully balanced scheme' worked out by the official members of the Punjab Government which gives the Punjab Muslims a majority of two over Hindus and Sikhs combined, and a proportion of 49 per cent of the House as a whole. It is obvious that the Punjab Muslims cannot be satisfied with less than a clear majority in the total House. However Lord Irwin and his Government do recognise that the justification for communal electorates for majority communities would not cease unless and until by the extension of franchise their voting strength more correctly reflects their population; and further unless a two-third majority of the Muslim members in a provincial council unanimously agree to surrender the right of separate representation. I cannot, however, understand why the Government of India, having

recognised the legitimacy of the Muslim grievance, have not had the courage to recommend a statutory majority for the Muslims in the Punjab and Bengal.

Nor can the Muslims of India agree to any such changes which fail to create at least Sind as a separate province, and treat the North-West Frontier Province, as a province of inferior political status. I see no reason why Sind should not be united with Baluchistan and turned into a separate province. It has nothing in common with the Bombay Presidency. In point of life and civilisation the Royal Commissioners find it more akin to Mesopotamia and Arabia than India. The Muslim geographer Mas-udi noticed this kinship long ago when he said—"Sind is a country nearer to the dominions of Islam." The first Omayyad ruler is reported to have said of Egypt—"Egypt has her back towards Africa and face towards Arabia." With necessary alterations the same remark describes the exact situation of Sind. She has her backs towards India and face towards Central Asia. Considering further the nature of her agricultural problems which can invoke no sympathy from the Bombay Government, and her infinite commercial possibilities, dependent on the inevitable growth of Karachi into a second metropolis in India, it is unwise to keep her attracted to a Presidency which, though friendly to-day, is likely to become a rival at no distant period. Financial difficulties, we are told, stand in the way of separation. I do not know of any definite authoritative pronouncement on the matter. But, assuming there are any such difficulties, I see no reason why the Government of India should not give temporary financial help to a promising province in her struggle for independent progress.

As to the North-West Frontier Province it is painful to note that the Royal Commissioners have practically denied that the people of this province have any right to reform. They fall far short of the Bray Committee and the Council recommended by them is merely a screen to hide the autocracy of the Chief Commissioner. The inherent right of the Afghan to light a cigarette is curtailed merely because he happens to be living in a powder house. The Royal Commissioners' epigrammatic argument is pleasant enough but far from convincing. Political reform is light, not fire; and to light every human being is entitled whether he happens to live in a powder house or a coal mine. Brave, shrewd and determined to suffer for his legitimate aspirations, the Afghan is sure to resent any attempt to deprive him of opportunities of full self-development. To keep such a people contented is in the best interest of both England and India. What has recently happened in that unfortunate province is the result of a step-motherly treatment shown to the people since the introduction of the principle of self-government in the rest of India. I only hope that British statesmanship will not obscure its view of the situation by hoodwinking itself into the belief that the present unrest of the province is due to any extraneous causes.

The recommendation for the introduction of a measure of reform in the N. W. F. P. made in the Government of India's despatch is also unsatisfactory. No doubt the despatch goes further than the Simon Report in recommending a sort of representative Council and a semi-representative cabinet but it fails to treat this important Muslim province on equal footing with other Indian Provinces. Indeed the Afghan is by instinct more fitted for democratic institutions than any other people in India.

#### ROUND TABLE CONFERENCE

I think I am now called upon to make a few observations on the Round Table Conference. Personally I do not feel optimistic as to the results of this Conference. It was hoped that away from the actual scene of communal strife, and in a changed atmosphere better counsels would prevail, and a genuine settlement of the difference between the two major communities of India would bring India's freedom within sight. Actual events, however, tell a different tale. Indeed, the discussion of the communal question in London has demonstrated more clearly than ever the essential disparity between the two great cultural units of India. Yet the Prime Minister of England apparently refuses to see that the problem of India is international. He is reported to have said that "his Government would find it difficult to submit to Parliament proposals for the maintenance of separate electorates, since joint electorates were much more in accordance with British democratic sentiments." Obviously he does not see that the model of British democracy cannot be of any use in a land of many nations; and that a system of separate electorates is only a poor substitute for a territorial solution of the problem. Nor is the Minorities Sub-Committee likely to reach a satisfactory settlement. The whole question will have to go before the British Parliament; and we can only hope that the keen-

sighted representatives of the British nation, unlike most of our Indian politicians, will be able to pierce through the surface of things and see clearly the true fundamentals of peace and security in a country like India. To base a constitution on the concept of a homogeneous India, or to apply to India principles dictated by British democratic sentiments, is unwittingly to prepare her for a civil war. As far as I can see, there will be peace in the country until the various peoples that constitute India are given opportunities of free self-development on modern lines without abruptly breaking with their past.

I am glad to be able to say that our Muslim delegates fully realise the importance of a proper solution of what I call Indian international problem. They are perfectly justified in pressing for a solution of the communal question before the responsibility in the Central Government is finally settled. No Muslim politician should be sensitive to the taunt embodied in that propaganda word—communalism—expressly devised to exploit what the Prime Minister calls British democratic sentiments, and to mislead England into assuming a state of things which does not really exist in India. Great interests are at stake. We are seventy millions, and far more homogeneous than any other people in India. Indeed, the Muslims of India are the only Indian people who can fitly be described as a nation in the modern sense of the word. The Hindus, though ahead of us in almost all respects, have not yet been able to achieve the kind of homogeneity which is necessary for a nation, and which Islam has given you as a free gift. No doubt they are anxious to become a nation but the process of becoming a nation is a kind of travail, and in the case of Hindu India, involves a complete overhauling of her social structure. Nor should the Muslim leaders and politicians allow themselves to be carried away by the subtle but fallacious arguments that Turkey and Persia and other Muslim countries are progressing on national, i.e. territorial lines. The Muslims of India are differently situated. The countries of Islam outside India are practically wholly Muslim in population. The minorities there belong, in the language of the Quran, to the 'people of the Book.' Indeed the first practical step that Islam took towards the realization of a final combination of humanity was to call upon peoples possessing practically the same ethical ideal to come forward and combine. The Quran declares, "O! people of the Book Come, let us join together on the 'word' (Unity of God), that is common to us all." The wars of Islam and Christianity, and, later, European aggression in its various forms, could not allow the infinite meaning of this verse to work itself out in the world of Islam. To-day, it is being gradually realized in the countries of Islam in the shape of what is called Muslim Nationalism.

It is hardly necessary for me to add that the sole test of the success of our delegates is the extent to which they are able to get the non-Muslim delegates of the Conference to agree to our demands as embodied in the Delhi Resolution. If these demands are not agreed to, then a question of a very great and far-reaching importance will arise for the community. Then will arrive the moment for an independent and concerted political action by the Muslims of India. If you are at all serious about your ideals and aspirations you must be ready for such an action. Our leading men have done a good deal of political thinking, and their thought has certainly made us, more or less, sensitive to the forces which are now shaping the destinies of peoples in India and outside India. But, I ask, has this thinking prepared us for the kind of action demanded by the situation which may arise in the near future? Let me tell you frankly that, at the present moment, the Muslims of India are suffering from two evils. The first is the want of personalities. Sir Malcolm Hailey and Lord Irwin were perfectly correct in their diagnosis when they told the Aligarh University that the community had failed to produce leaders. By leaders I mean men who, by Divine gift or experience, possess a keen perception of the spirit and destiny of Islam, along with an equally keen perception of the trend of modern history. Such men are really the diving forces of a people but they are God's gift and cannot be made to order. The second evil from which the Muslims of India are suffering is that the community is first losing what is called the herd-instinct. This makes it possible for individuals and groups to start independent careers without contributing to the general thought and activity of the community. We are doing to-day in the domain of politics what we have been doing for centuries in the domain of religion. But sectional bickerings in religion do not do much harm to our solidarity. They at least indicated an interest in what makes the sole principle of our structure as a people. Moreover this principle is so broadly conceived that it is almost impossible for a group to become rebellious to

the extent of wholly detaching itself from the general body of Islam. But diversity in political action, at a moment when concerted action is needed in the best interests of the very life of our people, may prove fatal. How shall we, then, remedy these two evils? The remedy of the first evil is not in our hands. As to the second evil, I think it is possible to discover a remedy. I have got definite views on the subject: but I think it is proper to postpone their expression till the apprehended situation actually arises. In case it does arise leading Muslims of all shades of opinion will have to meet together not to pass resolutions, but finally to decide the Muslim attitude and to show the path to tangible achievement. In this address I mention this alternative only because I wish that you may keep it in mind, and give some serious thought in the meantime.

#### THE CONCLUSION

Gentlemen, I have finished. In conclusion, I cannot but impress upon you that the present crisis in the history of India demands complete organisation and unity of will and purpose in the Muslim community, both in your own interest as a community, and in the interest of India as a whole. The political bondage of India has been and is a source of infinite misery to the whole of Asia. It has suppressed the spirit of the East, and wholly deprived her of that joy of self-expression which once made her the creator of a great and glorious culture. We have a duty towards India where we are destined to live and die. We have a duty towards Asia, especially Muslim Asia. And since seventy millions of Muslims in a single country constitute a far more valuable asset to Islam than all the countries of Muslim Asia put together, we must look at the Indian problem not only from the Muslim point of view but also from the standpoint of the Indian Muslim as such. Our duty towards Asia and India cannot be loyally performed without an organisation fixed on a definite purpose. In your own interest, as a political entity among other political entities of India, such an equipment is an absolute necessity. Our disorganised condition has already confused political issues vital to the life of the community. I am not hopeless of an intercommunal understanding, but I cannot conceal from you the feeling that in the near future our community may be called upon to adopt an independent line of action to cope with the present crisis. And an independent line of political action, in such a crisis, is possible only to a determined people, possessing a will focalised by a single purpose. Is it possible for you to achieve the organic wholeness of a unified will? Yes, it is. Rise above sectional interests and private ambitions, and learn to determine the value of your individual and collective action, however directed on material ends, in the light of the ideal which you are supposed to represent. Pass from matter to spirit. Matter is diversity: spirit is light, life and unity. One lesson I have learnt from the history of Muslims. At critical moments in their history it is Islam that has saved Muslims and not vice versa. If to-day you focus your vision on Islam and seek inspiration from the ever-vitalising idea embodied in it, you will be only reassembling your scattered forces, regaining your lost integrity, and thereby saving yourself from total destruction. One of the profoundest verses in the Holy Quran teaches us that the birth and rebirth of the whole of humanity is like the birth and rebirth of a single individual. Why cannot you, who as a people can well claim to be the first practical exponents of this superb conception of humanity, live and move and have your being as a single individual? I do not wish to mystify myself when I say that things in India are not what they appear to be. The meaning of this, however, will dawn upon you only when you have achieved a real collective ego to look at them. In the words of the Quran, "Hold fast to yourself: no one who erreth can hurt you, provided you are well-guided."

#### Resolutions—30th. December 1930.

The session which was announced to be held for three days, terminated to-day (second day), after recording seven resolutions. It took only about three hours in considering the resolutions which had been passed by the subjects committee yesterday afternoon at a meeting, which, it was said, was attended by about 25 members. The League would have concluded the discussion in a still shorter time but for the opposition offered to a resolution by a member of the League, Dr. M. U. S. Jung.

Sir Muhammad Iqbal, the president of the League had to leave to-day's meeting at about 11 A.M. after presiding for about only an hour, while the most important resolution of the session was under discussion, as he had to leave Allahabad due, presumably, to other pressing engagements elsewhere and on his leaving Nawab Muhammad Ismail Khan of Meerut was voted to the chair.

The audience at the meeting to-day was smaller than yesterday and it was apparent that the number of the members of the League present was below the requisite quorum, as when the chairman proceeded to take votes on the resolution to which Dr. M. U. S. Jung had moved an amendment, Dr. Jung drew attention that according to the rules of the League the quorum at a meeting should be of 75 members and he raised a point of order that there was no quorum at the meeting. Dr. Jung's objection was, however, overruled by Nawab Muhammad Ismail Khan, the chairman, by saying that the objection of want of quorum should have been raised at the first day's meeting of the League, namely, yesterday, and to-day's meeting being an adjourned meeting no quorum was needed.

The League before considering other resolutions recorded a resolution of condolence on the sad deaths of Moulvi Mazharul Haq, Sahibzada Aftab Ahmed Khan, Mirza Ali Mohommad Khan, Sir Ibrahim Haroon and Syed Jalil, all of whom were old and prominent members of the League.

#### GOVT. OF INDIA'S DESPATCH UNSATISFACTORY

On the motion of Mr. Husain Imam (Patna), seconded by Dr. M. U. S. Jung (Allahabad), the League resolved that 'as the Government of India's despatch on constitutional reforms fails to lead the country towards responsible government the recommendations contained in the despatch would not satisfy Indian aspirations in general and Muslim demands in particular.'

#### MUSLIM DEMANDS

The resolution which gave rise to a prolonged debate and some opposition was moved by Syed Habib Shah of Lahore ran as follows:—

'That the All-India Muslim League, while appreciating the united efforts of the Muslim members to the Round Table Conference in giving faithful expression to Muslim opinion, strongly supports the resolution passed by the All-India Muslim Conference at Delhi on the 1st January, 1929, under the presidency of His Highness the Aga Khan and hopes that the Muslim members will combine to abide by that resolution.'

Moving the resolution Syed Habib Shah remarked that it was a matter for gratification that the Muslim delegates to the Round Table Conference, though they were not chosen by the Muslims of the country, were still supporting the Muslims' demands. He declared that whatever was the decision at the Round Table Conference about the future constitution, the question of its acceptance or non-acceptance was a matter which concerned the Muslims in India, and, he asserted, the Muslims would not be prepared to abide by a decision which did not safeguard the Muslims' right.

Dr. M. U. S. Jung next moved the following amendment to the resolution:—

'Resolved that although Mr. M. A. Jinnah's 14 points constitute the minimum Muslim demands, yet having in view the larger interests of the country and also the complicated nature of the problem to be solved, and considering the difficulties which they may have to face at the spur of the moment the All-India Muslim League considers it advisable not to restrict the full power of the Muslim members to negotiate a satisfactory settlement.'

Dr. Jung pressing his amendment referred to the circumstances which led a party of Muslims to hold a Muslim Conference at Delhi and asserted that it would be against the prestige of the League, which was an older political body than the Muslim Conference under reference, if the League adopted a resolution recorded by the Muslim Conference. Dr. Jung held that the resolution of the Delhi Muslim Conference was based on a narrow view than the 14 points of Mr. Jinnah. For instance, he said, resolution no. 7 of the Delhi Muslim Conference relating to the protection of the rights of the minority, had confused the issue by demanding majority representation in provinces, where Muslims were in majority and weightage where Muslims were in minority. Concluding, Dr. Jung emphasised that they should stick to Mr. Jinnah's 14 points. The political exigencies demanded that the dele-

gates should be allowed sufficient latitude in exercising their discretion in negotiating for a satisfactory solution of the difficulties at the London Conference.

Most of the speakers who followed opposed vigorously the amendment of Dr. Jung. Seth Abdullah Haroon of Karachi, opposing the amendment and supporting the original resolution, asserted that he could not give any power to the delegates to the Round Table Conference. They were not, he said, elected by the Muslims nor were they sent to the conference by them. The Muslim demands were before them and if they wanted to carry on any negotiations they might do so, but the terms of any settlement would have to be considered by the Muslims in India before they could be accepted.

Mr. Hafizur Rehman, took serious objection to Dr. Jung's attack on the representative character of the Delhi Muslim Conference.

It was at this stage that Sir Muhammad Iqbal, president, left the meeting and Nawab Muhammad Ismail Khan took the chair.

On the discussion being resumed, Maulvi Muhammad Yaqub regretted that the debate on the resolution had led to an unpleasant discussion due to some misunderstanding. The question before them, he said, was not whether the resolution of the Muslim Conference or Mr. Jinnah's 14 points represented the majority view. In Maulvi Yaqub's opinion there was really no difference between Mr. Jinnah's 14 points and the points adopted by the Muslim Conference. The only point for consideration, he said, was whether the League could give some discretion to the Muslim delegates to the Round Table Conference in effecting a compromise.

Maulvi Muhammad Yaqub did not appreciate the statements made by some speakers that the Muslim delegates to the Round Table Conference should not be regarded as the Muslims' representatives, as such a declaration would not only lower the prestige of the Muslim leaders in London but would also lead their opponents and even the Government to tell the Muslim delegates, on the latter's pressing the Muslims' demands, that their view did not represent the views of the Muslims of India.

Mr. Muhammad Husain remarked that the Government would not have the face to tell the Muslim delegates that they were not representatives of the Muslims as these delegates were selected by the Viceroy himself and if the Government thought that they were not representatives why then real representatives were not invited to the Conference.

Mr. Muhammad Husain, supporting the original resolution, desired that Muslims should repeatedly put before the Muslim delegates their demands and warn them that nothing less than those demands would be acceptable to them.

Mr. Muhammad Azim (Ghazipur) also opposed Dr. Jung's amendment and Syed Habib Shah, the mover of the resolution, replying to the debate asked why the Muslim delegates should be given any authority to make any settlement.

Dr. Jung's objection about want of quorum having been ruled out, votes were taken with the result that the amendment of Dr. Jung was rejected and the resolution of Syed Habib Shah was declared carried.

#### REFORMS FOR FRONTIER

Maulvi Muhammad Yakub next moved the following resolution :—

Resolved that the All-India Muslim League while fully realizing the particular conditions of the North-Western Frontier Province and recognizing the necessity of taking special measures for the safeguarding of the Frontier is strongly of opinion that the continued political dissatisfaction in the province cannot be removed nor can the local aspirations be satisfied with any scheme of administration which gives an inferior place to the province in comparison with other provinces in the country.

The mover regretted that neither the Simon Commission, nor the report of the Central Simon Committee nor the Government of India's despatch effected a satisfactory solution of the problem of the North-Western Frontier Province, nor did the Government take any action on the repeated resolutions of the Legislative Assembly on the subject.

The resolution having been seconded by Maulana Abdul Majid was passed.

#### OTHER RESOLUTIONS

The League next considered the following resolutions moved by Maulana Abdul Majid of Bombay :—

"That the All-India Muslim League is emphatically of opinion that the Mussalmans

of India will not be satisfied with any constitution that does not guarantee (a) full Muslim representation on population basis in the legislatures of the Punjab and Bengal; (b) constitution of Sind into a separate province forthwith and without any condition and (c) conferment of full powers on the North-Western Province and British Baluchistan.

"This League declares that the Muslim insistence on the adoption of the federal constitution of India is contingent upon the clear understanding that the above-mentioned units shall, in the matter of provincial autonomy, be treated on the same footing as the other components of the federation."

In the course of his speech, the mover remarked that an attempt was being made on behalf of the Hindus and also the British Government that Muslims should not be in power in any province. The resolution was passed.

The only other resolution which aroused opposition was the motion of Mr. Husain Imam that the League should record the view that it considered 'essential and imperative that statutory provisions should be made for the adequate representation of Mussalmans in the cabinets as well as in the public service of the country'.

Dr. Jung opposing the motion asserted that they would be committing suicide by passing that resolution, for the resolution which the League had just recorded would give power to Muslims in five provinces, and that would enable them to have only Muslims in cabinets and in public services in their provinces but in case they imposed any restrictions about Muslim representation in cabinets and public services in respect of other provinces those restrictions would also be imposed in the provinces in which they would be in power and they have consequently to accept non-Muslim representation in their provinces also.

Syed Habib Shah opposed the amendment of Dr. Jung as he felt that the administration of any province would be impossible by one community without the co-operation of others. The resolution was recorded and the amendment rejected.

Finally, the League, on the motion of Mr. Zakir Ali, appointed a committee consisting of Nawab Muhammad Ismail Khan, Kazi Masud Hasan and Maulvi Muhammad Yaqub to revise and amend the constitution of the All-India Muslim League.

The proceedings of the conference terminated after an expression of the League's feeling of gratitude to the president and to the persons responsible for making arrangements for the session, by Maulvi Muhammad Yaqub and Mr. Zahur Ahmed.

Maulvi Yaqub remarked that it was true that the present session of the League was not so representative as its previous sessions but this, he said, was due to the numerous Muslim leaders being out of India. Such would be the case, he added, with any conference held at this juncture and it was due to the absence of the leaders that after a period of 60 years this year's Christmas passed off without the session of the Indian National Congress.

## The All India Muslim Conference

The All India Muslim Conference was held at Lucknow on the 15th November 1930. A good number of delegates from all the provinces attended the Conference. After recitations from Quran, Syed Ali Zaheer, Chairman, Reception Committee read the welcome address in Urdu in which he pointed out that a settlement about the share of each community in the future Government of the country was more important than the question whether it should have a Dominion Status constitution or one giving responsible self-government. He appreciated the sacrifices which their Hindu brother countrymen were making, but considering the communal problem, he said the Mussalmans could not co-operate with them as they did in 1921. If only their brother countrymen desired that they could improve the present situation and create the old atmosphere of good-will, he stressed the need of opening provincial branches of the conference and showing to Muslim young men the action. They ought to enlist a great number of volunteers to propagate the cause of the



conference. According to his understanding politics and religion were not two separate things in Islam. He regretted the Mussalmans had not sufficient political awakening and requested the delegates to chalk out an active programme or organization before they dispersed.

#### PRESIDENTIAL ADDRESS

Amidst clapping and loud cries of Alla-ho Akbar, Nawab Mahomed Ismail Khan then rose and read the presidential address. He said: "The resolution of the first Delhi session of the Conference has since become the basic creed of the conference, and it undoubtedly represent to-day the most authoritative declaration of the Mussalmans of India of the principles on which they desire the future constitution of India to be framed and safeguards which they consider should be provided in it for the protection of their rights and interests. It is alleged by some that this conference has been set up in opposition to the All-India Muslim League with a view to deprive this old institution of ours of its importance; while others maintain that it is the stronghold of reactionaries who, having lost ground in the Muslim League, have started it to keep alive their waning influence. There are not a few who declare that it is a pro-government organisation founded by its henchmen to emphasise communal differences. Such are some of the misrepresentation to which this conference is being subjected. You know very well, gentlemen, that nothing can be further from truth than these mischievous and uncharitable allegations. This conference duly met at Delhi and put forward only such demands as had the largest measure of agreement. The conference achieved a success beyond all expectations and to-day the whole Muslim community with the exception of a handful of so-called Muslim nationalists stand solidly behind its resolution. Mr. Jinnah who had not participated in the conference has subsequently, it is gratifying to observe, drawn up his fourteen points strictly in conformity with the basic principles of this resolution. It can, therefore, be safely declared that the Muslim community will not accept any settlement of constitutional and communal issues which is not in consonance with the principles enunciated therein. It may well be termed as our irreducible minimum. I consider it only right and proper that at a time when the future constitution of India is in the making, if I declare emphatically and with all the authority of this conference, that the Mussalmans will not acquiesce in any settlement in which our rights and interests are not secured in the manner we demand. To frame a democratic constitution purely on European models, without providing in it adequate and proper safeguards for the protection of minorities, will lead to the establishment of ascendancy of the majority community, not because it has more numerous political adherents, but because the followers of its religious beliefs and tenets are preponderatingly larger in numbers, a condition wholly unknown to European policy. The safeguards which we have asked for have for their object the prevention of any arbitrary and unjustifiable exercise of power by a majority based purely on a particular religion. It is not our demand, and has never been, that unqualified and incompetent Muslims should secure employment simply because they are Muslims. Our demand in the words of the resolution is to give the Muslims their adequate share in all services having due regard to requirements of efficiency. Our experience of inequalities which exists in State services to-day has been so bitter and disheartening that we are now compelled to ask for a statutory provision for fixing our share in them.

"The continuance of separate electorates is regarded by the Hindus as an appalling offence against nationalism and all their dialectical subtlety is employed in demolishing arguments in their favour. I may point out to them that the more strenuously they oppose this system of election, the more tenaciously do the Mussalmans cling to it. Some eminent Muslim politicians, only a few years ago, courageously formulated proposals whereby separate electorates would have been done away with, and I may say that in framing those proposals they ran the risk of forfeiting the confidence of their community. But the Hindus refused to take advantage of them by repudiating the condition on which the relinquishment of this right was dependent. To-day the vast majority of the Mussalmans will not in any way consent to the establishment of joint electorates, whether with or without the conditions". Continuing the President said:—

"I must sound a note of warning to Government that if they continue to disregard the wishes of India by denying to the Frontier Province the same constitutional status and form of Government with which other provinces are to be invested in pursuance of some Imperial policy, they will be only inflaming the Mussalmans

and putting too great strain on their loyalty. The policy to subjugate the tribes on the border have earned disapprobation of every Mussalman. It was the desire of Indian Mussalmans that their brethren in the Frontier Province should not resort to any precipitate action, but disappointments and disillusionments, which it has been their lot to suffer, has undoubtedly goaded them to desperation. We demand, gentlemen, that a committee of enquiry consisting of officials and non-officials be immediately set up not only to investigate solitary incidents, but to inquire into the causes of the whole trouble and suggest remedies for removing disaffection prevailing in that province. I trust Government will adopt this course in its own interests. The Congress for years past had been standing up for the establishment of full and complete provincial autonomy. It is, therefore, rather surprising to observe that in recent years it has changed its view and now wants to set up a strong Unitary Government on English model. We expect the gentlemen who have been selected by Government to represent us at the London Conference to insist on the settlement of Hindu-Moslem question in accordance with the resolution of this conference." Continuing the President said:—

"A mere interpretation of the Balfour Declaration has caused such great perturbation among the Jews that they and their influential friends are engaged in bringing to bear their utmost pressure upon the Labour Government in England and rescind it. This interpretation of the Balfour declaration, though it does not wholly satisfy our Arab brothers, yet as it definitely showed a change for the better in the angle of England's vision, was welcome by them. But vehement agitation initiated by the Jews has again stiffened their attitude and they now declare that nothing short of a withdrawal of this unhappy declaration will placate them. We wholeheartedly support their demand and desire to warn the British Government that any change or weakness on their part at the present moment would earn resentment of millions of Mussalmans all the world over. Our demand is and has always been that England should throw up the mandate and let the Arab and the Jews settle their affairs as best as they can."

The Conference then adjourned.

### Second day—16th. November 1930.

The next sitting of the Conference commenced in this afternoon under the presidency of Nawab Muhammad Ismail Khan. The Raja Sahab of Salempur, Nawab Mohammad Yusuf, Maulana Shafee Daoodi, Shah Masud Ahmed and Malik Feroz Khan Noon, Minister of Punjab Government, were among others present. Syed Zahoor Ahmad moved the following resolution:—

"This Conference reaffirms the resolution passed at the All India Muslim Conference held under the presidency of His Highness the Aga Khan at Delhi on the 1st of January 1929 and hopes that the Muslim delegates nominated by His Excellency the Viceroy, who are now sitting at the Round Table Conference, will abide by that resolution, and further declares clearly that no constitution agreed to by the Muslim delegates in London will be acceptable to the Muslims of India unless it embodies the demand mentioned in that resolution." The Raja Sahab of Salempur seconded the resolution and Malik Feroz Khan Noon, Punjab Minister, Maulana Mazharuddin, Maulvi Irfan, Maulvi Shah Masud Ahmad, Abdul Wakil, Maulana Abdul Majid and Maulana Hasrat Mohani spoke in support of the resolution which was carried unanimously.

Mr. Mohammad Husain moved the next resolution:—"That this Conference appreciates the attitude of the Muslim delegates to the Round Table Conference in pressing the Muslim demands as formulated in the All India Muslim Conference on the 1st of January 1929 and hopes that they will remain firm and united on this attitude as no future constitution of India can be successful without these safeguards." Maulana Abdul Majid and Maulvi Karam Ali spoke and seconded the resolution and it was carried by a majority, only one dissenting.

The Third sitting of the Conference was held at night which passed the following resolution:—

"This conference while conceding that the proposal of the Government of India contained in the despatch recently published are some improvement on the Simon recommendation, as a whole places on record that they fall short of the demands adumbrated by the Conference at Delhi on the 1st of January 1929 and constitute the very minimum."

The next resolution was moved by Maulana Hasrat Mohani of Cawnpore. It ran :—"That in the opinion of the conference it is essential for the Muslim delegates to the Round Table Conference that before entering into details of the future constitution to obtain a settlement of the following cardinal principles (1) that the constitution be of a Federal and Centrifugal type, (2) Complete autonomy for the provinces, (3) Muslim safeguards to form part of the constitution and not left over for conventions or instruments of instructions. This conference thinks that no preliminary negotiation about Dominion Status are permissible before the final settlement of those points.

## The Bengal Muslims' Conference

The Bengal Muslims' Conference was held in the Town Hall, Calcutta, on the 9th. August 1930 under the presidency of Sir Abdur Rahim. Speaking on India's future and the Simon Commission's report in the course of his address, Sir Abdur said :—

The other day at the Behar Muslims' Conference I pointed out how the scheme of the future constitution for the country as outlined in the Report is open to serious objections from the general Indian point of view, while its recommendations are at the same time inadequate and unsatisfactory from the stand-point of the Indian Mussalmans who are anxious to secure a fair opportunity to play a helpful role in the development of a national government for India.

Let me at the outset make the Mussalman position quite clear. India is as much the home and the only home of us, the Indian Mussalmans, as of our Hindu and other fellow countrymen. India's political advancement and prosperity is as much, therefore, our concern and as near to our hearts, as to those of her other citizens. It is our duty and privilege equally with the rest of India's population to serve India.

You will, I am certain, agree with me that the constitution of the country should be so designed as to help the political and economic advancement of all of India's citizens, the Mussalmans no less than the Hindus, the Sikhs, the Parsis and the Indian Christians and remove once for all those causes of communal selfishness, distrust and jealousies which are such a disquieting feature of the present situation, by calling forth whole-hearted service of the representatives of all communities in the great national task.

Need I tell those who argue that a self-governing India has no meaning for us without safeguards for our rights and interests than in a self-governing India under a free constitution in which the people at large will control the Government, the Mussalmans far from being in danger of losing any rights will be gaining along with others valuable rights which none possess now. I advise you strongly, therefore, to throw all your weight in favour of a government broadbased on the will of a free people.

The Commissioners seem to have understood the terms of their reference to restrict them to such measures as could lead to self-government, if ever, only by gradual stages, the people of India having to be trained from one step to another with sufficient interval of time in between, until the last rung of the ladder, the end of which cannot now be seen from such a distance, is reached. But that sort of process, however nicely it may be expressed by the draftsmen of a statute, is unknown in the affairs of vast masses of humanity.

Now let us examine the Report as a whole in the light of the principal propositions which they have laid down. They hold that unless and until India can undertake her own defence, no real self-government is possible. I entirely agree with that proposition and would emphatically add that once that question is solved the rest of the difficulties would be soon overcome. But have they proposed any scheme by which India may become self-reliant in this vital matter? None. Then they say that a Federation of the autocratic Indian States and the provinces of India enjoying responsible government is the only way of realising a truly national India. Let us also accept that. But have they made any definite proposal by which such a federated Common-wealth of India may be achieved? No. Perhaps the most

disappointing feature of the Report is the way they have treated the serious Hindu-Muslim problem upon which they lay emphasis at every stage and which runs like a black thread throughout their entire recommendations. Have they suggested any solution? None.

Now I propose to consider with you what form of constitution and government will suit India and this I can best explain by telling you first what we should all like India of the future to be, not of some remote future, but India of which the next generation will be proud and happy citizens. We want India to be a great nation among the great nations of the earth, prosperous and strong, depending on her own sons, the Hindus and the Mussalmans—the Pathans and the Sikhs, the Punjabis, the Rajputs, the Beluchis, the Sindhis, the Hindusthanis, the Deccanis, the Marhattas, the Madrasees and the Bengalees—to defend her integrity, independence and honour from invasions and inroads from without and to enforce peace and order within her own borders, to ensure an open door and honourable treatment for her nationals abroad in return for similar privileges granted in India to the nationals of other countries, the representatives of her princes and peoples assured of an worthy place in the councils of nations on terms of absolute equality and freedom promoting friendly and mutually advantageous relations with other countries. We want India in brief to be a great power united with Britain under the same illustrious Crown, not as Britain's 'dependency' or 'possession' but as partners bound to each other by more than a century past close associations and a firm understanding for the future between two free countries in matters of common concern well and clearly defined.

In internal administration, the responsibility for the good Government of that portion of India which does not already enjoy indigenous government—I mean what is called 'British India'—must be borne by the people of themselves, not by one class or sect, but by the various sections of the people which are grouped together by religion, history, caste or race. The first and foremost pre-occupation of the representatives of all of them inspired by a great and new hope will be to banish from the land destitution, disease, illiteracy and ignorance which has made India the most miserable and unhappy country on the face of the globe and a drag on the onward march of humanity. Labour must be assured of fair and adequate wages and proper conditions of work-schools and institutes adequately equipped with suitable means of instruction and recreation and amusement being provided at every large labour centre so as to ensure not only good health and happiness but improved efficiency and skill. Under the present system all social legislations especially those designed to enable Indian womanhood to discharge those high social duties which both Hindu and Muslim traditions assign to her are well-nigh impossible, but will, I feel confident, be undertaken under a constitution which throws on the representatives of both Hindu and Muslim communities the entire responsibility for ameliorating their social condition. The Indian Government like other civilised governments must provide for the education of every boy and girl in the land, take adequate measures for the protection of their health and development of their physic and for their training in some suitable and useful profession, industry or craft. India's agriculture, crafts and cottage industries have to be freed from the grip of un-scrupulous money-lenders, rent collectors and rapacious middlemen generally and many more co-operative societies and Banks have to be established in convenient areas charged generally with the protection and welfare of the villagers and labourers.

It is but a truism that without a national army it is impossible to conceive of a national India. It is equally true that once a truly national army is achieved, the rest of the task will become easy. It is to the efficacy of military discipline that we must look first of all for the creation of a national unit, the most important and most influential in national life. India's national army should be recruited both from the Indian provinces and the Indian States and, while I recognise that recruitment has mainly to be made for sometime from those provinces which at present supply the men, it should be possible to introduce a proportion, however small, carefully selected from those parts of India where recruitment has been stopped for a long time, especial care being taken that the men so drawn are properly assimilated. Above all, there should be no unit composed solely of one community or caste, but there must be as nearly an equal admixture of the Hindus including the Sikhs and the Mussalmans as may be possible. The same principle must be scrupulously observed in the selection and posting of officers both of the commissioned and non-commissioned ranks.

One question which has been the most fruitful source of communal controversy is the inadequacy of recruitment of educated Mussalmans in the various State services especially under the government at the centre and in Bengal and the Punjab, though the need for a proper formula and definite rules in this connection is felt almost everywhere. You will remember how the late Mr. C. R. Das transformed, as if by magic, the Hindu-Muslim situation by announcing his well-known Hindu-Muslim Pact. If that policy had been substantially carried out, what is perhaps the greatest cause of Muslim discontent would have been removed. The alleged inadequacy of qualified Mussalman candidates, if it really exists, may easily be met by special arrangements being made for their training. What is wanted is that a proper policy for recruitment of Muslims in the public services should be adopted.

### Second Day--10th. August 1930

Uproarious scenes, shouting down the opposition speaker and a scuffle between two groups of volunteers resulting in injuries to several on both sides marked the second day's sitting of the Conference. The trouble arose over the first resolution supporting Moslem representation at the London Round Table Conference and nominating Sir Abdur Rahim and Mr. Fazlul Huq as Bengal Moslems' representatives to the Conference.

Mr. Fazlul Huq, in course of his speech supporting the resolution, openly accused the Hindus of being inimical to the interest of the Moslems. The present movement, said Mr. Fazlul Huq, was critical in the history of the Moslem community in India in as much as on the one hand there was an unsympathetic Government, quite oblivious of the Moslems' steadfast loyalty and ungrudging services rendered to the Government, and on the other hand there was the great sister community, the Hindus, who were hostile to the interest of the Moslems and paid scanty heed to the rights and privileges of the Moslems. If the present Conference ended in a fiasco, it would be most disastrous to the cause of the Moslems of Bengal. The Hindus did of course fight among themselves, as they were now doing in the Calcutta Corporation, but they could, when the occasion demanded, compose their differences and give a united front to their enemies. The speaker appealed to the audience to have a single minded desire to serve their community.

In opposing the resolution supporting Moslem representation at the Round Table Conference, Mr. Abdur Rahim, a member of the All-India Congress Committee wondered how on earth the Moslems could again think of going on a begging mission when all their demands had been turned down by the Simon Commission. The question to be considered at the present moment was not as to who shall or should not be nominated as representatives to the Conference but under what conditions and circumstances they should agree to attend the Conference. All the demands put forward by the Moslem community had been given a silent go-by by the Simon Commission. The name of Mr. Fazlul Huq had been proposed as Bengal Moslems' representative to the Conference. It was well for the audience to remember that the same Mr. Fazlul Huq had been a member of the Indian wing of the Simon Commission and as an old friend the speaker was sure that Mr. Huq had exhausted all his ability in putting statistics and facts supporting Moslem claim before the Commission. But the Chairman had already informed the audience that not even one of their demands had been favourably considered by the Commission. Under these circumstances could any one with any sense of self-respect think of attending the Round Table Conference?

The speaker did not want to say anything against either Sir Abdur Rahim or Mr. Fazlul Huq but as the question had been put directly to him from the chair he would only say that Mr. Fazlul Huq had been in the Ministry and perhaps again wanted to be in the Ministry. Quite apart from that, the Moslems should consider whether they should attend the Conference without a guarantee that their proposals would not be as summarily dismissed as they had been done by the Commission.

Mr. Rahim proceeded to speak when there was an uproar and clash between Peshwaris and Bengal Muslims and he was howled down. The President directed Mr. Rahim to resume his seat. Mr. Rahim repeatedly requested the President at least to allow him to conclude his speech but the President did not see his way to allow him to conclude his speech and he had to resume his seat.

Immediately after this a scuffle took place inside the hall between Peshawari and

Bengal Moslem volunteers. Pandemonium prevailed for the moment and the proceedings of the Conference were interrupted. The rival contending volunteers were pushed outside the hall and the doors were closed against them. The scuffle took a serious turn outside the hall when lathis and umbrellas were freely used as a result of which several volunteers on both sides sustained injuries. Some of the leaders then rushed out and pacified the contending parties, and then the Conference resumed its discussions.

The Conference then adopted the following resolutions :—

(1) That the names of men who should represent the Muslims of Bengal at the Round Table Conference be submitted to the Viceroy for his approval and that Sir Abdur Rahim and Mr. Fazlul Huq, in the opinion of this Conference, should be among those who are to represent the Muslims of Bengal at the Round Table Conference.

(2) That the Conference fully expects that the representatives of the Muslims of Bengal at the Round Table Conference will generally support the resolutions of the All-Bengal Muslims' Conference.

(3) That in the opinion of this Conference the tenor of the Report of the Indian Statutory Commission is unsatisfactory and the constitutional proposals of the Commissioners are wholly inadequate to meet the political and administrative needs of India in as much as (i) the Commissioners have failed to recognise that India can no longer be expected to remain a mere 'dependency' or 'possession' of Britain, that it is necessary in the interests of the two countries that India should have a status of a self-governing dominion in the British Commonwealth of Nations in no way inferior, for instance, to that of Canada or Austria, (ii) the Commission's Report contains no recommendations for raising a national army of all arms so as to make India self-reliant for purposes of defence and the Commissioners' proposals will leave responsibility for the good government of India and direction and control of Indian administration in British Parliament instead of vesting the same in the Indian legislature, (iii) the Federal constitution proposed by the Commission has no significance since they do not recommend complete autonomy for the provinces, (iv) the Commissioners have failed to propose a responsible government for the important provinces of North West Frontier and Beluchistan on the same lines as for the other provinces nor have they made any definite and final recommendations that Sindh, whose constitutional development suffers from its present connection with the Bombay Presidency, should be formed into a separate province, (v) while the Commissioners have rightly laid down that neither poverty nor illiteracy nor sex shall be a disqualification, and that the franchise must be substantially lowered, and have at the same time recognised the need for separate electorates in the existing circumstances of the country, they have most unjustly condemned the Muslims of Bengal, who form the major community in the province, to the condition of a perpetual minority in the legislature and this conference is strongly of opinion that the number of seats for the Mussalmans in the Legislature of Bengal should be in proportion to their population, (vi) the Commissioners have failed to recommend that at least one-third of the seats in the Central Legislature should be reserved for the Muslims to be filled by separate electorates and further it is the opinion of this Conference that the residuary powers should be vested in the provincial, and not the Central Legislature, (vii) the Commission while fully aware of the important part which the State Service will be required to play in the political, economic and social development of India's vast and varied population have totally failed to appreciate the obvious fact that unless reasonable provisions are made in the constitution for the redressing of communal inequalities in the State Services the future administration of the country will be seriously handicapped in the due discharge of its responsibilities in the immense task it will be faced with.

(4) That this Conference is of opinion that the main principles and provisions of the Primary Education Bill now pending before the Bengal Legislative Council should be supported and this Conference requests the members of the Council to pass the Bill in its session of the Council with such amendments as, in their opinion, would improve the Bill.

# The European Conferences

## The Calcutta Europeans at Peliti's

At a mass meeting of Europeans at Peliti's in Calcutta on the 18th. August 1930, the proposal to move the following resolution at the meeting of the Calcutta branch of the European Association on August 20 was carried by an overwhelming majority :—

"In view of the attitude in India generally towards the Government of India Act of 1919 and the Simon Report and in view of the situation created by the events of the last nine months, this meeting is of opinion (1) that it is essential that seditious propaganda and unconstitutional agitation should be dealt with firmly once and for all and that all measure with regard to political advancement should be postponed in the meantime.

"(2) That the Government of India Act of 1919 should be repealed at once and the Morley-Minto Reforms of 1909 be brought into operation with such modifications as may be necessary."

The official resolution which was proposed to be placed before meeting a as follows :

"That this meeting approves of the recommendations of the Simon Commission, subject to such modifications where necessary as shall better ensure strong Government and justice to all sections of the community, preservation of personal rights and complete equality of trading status between British and Indian subjects of the crown in India.

It was contended by the supporters of the former resolution that the policy advocated in it was firm and just and as such would be appreciated by the vast majority of Indian opinion. It also strengthened the hand of Government by providing an overwhelming incentive to all well-meaning political representatives to attend the Round Table Conference.

The official resolution on the other hand was characterised as being directly opposed to the expressed policy of the Association.

The meeting was a very crowded one, over 500 Europeans attending and the proceedings were marked by considerable enthusiasm from beginning to end. The spacious hall was filled to capacity. Seats were taken on the stairs leading to the upper storey. The unusually large attendance took the promoters by surprise. Mr. G. N. Andrews was the principal speaker and the resolution was moved by him.

## The Calcutta Europeans at the Empire Theatre

The European Association meeting in the Empire Theatre on the 20th August to consider the Simon Report was adjourned until August 22. A poll was demanded on the official resolution. The President, Mr. E. Villiers, Chairman of the Calcutta Branch, pointed out that they had very little time at their disposal as they had to vacate the auditorium at 8 o'clock. Those in favour of the poll, however, persisted in their demand. The Chairman thereupon ruled that in the circumstances it would be better if they adjourned the meeting until Friday, when polling on both resolutions would take place. Mr. Villiers then moved :—

"That this meeting approves of the recommendations of the Simon Commission, subject to such modification where necessary as shall better ensure strong Government and justice to all sections of the community, preservation of personal rights and complete equality of trading status between British and Indian subjects of the Crown in India."

In placing the resolution from the Chair, Mr. Villiers contradicted the misstatement that the committee of the Association was not unanimous. He said that the committee, after studying the situation very closely for some months, was absolutely unanimous in its decision. The object of the resolution was to get from the Europeans a mandate to enable their representative to put forward their views at the conference to be held on August 25, but there is a further outcome of your acceptance, for, if a mandate was given to accept the recommendations of the Simon Commission with modifications they would be once again reaffirming their participa-

tion in the national work of the British Empire, which would enable India to attain self-governing status as soon as might be.

Now there were those who thought that the methods prescribed 10 years ago were defective. They must go back and wipe out the past. He could not conceive of any circumstance which would justify their going back on their pledged word as a nation. The Simon recommendation had been in their hands for the last two months and he commended their acceptance with certain modifications. In a nutshell, the Simon recommendations with regard to the Central Government were that there should be in the centre an impregnable executive to be coupled with a process of devolution on the provinces of as great a measure of self-government as possible.

Explaining what he meant by an impregnable government at the centre, Mr. Villiers said that it would consist of the Viceroy and a Cabinet chosen by him, which would not be responsible to the Central Legislature and would be irremovable for five years except by the Viceroy who could demand the resignation of his Cabinet, just as he could demand the dissolution of the Assembly.

Explaining the modifications he proposed, Mr. Villiers said that first of all Sir John Simon was for doubling the size of the present Assembly, thereby doubling the volume of irresponsible criticism that will emanate from it, but a modification of the committee in this respect was to have the Assembly reduced to half its present size and to get in future equal representation for each province.

The second deviation proposed by the Committee, which was one of broad principle, was that India had never been and could never be a homogenous nation. If they wanted to see India develop along the lines of federation of states, in conformity with their own nationality, their own genius and their social system, then and then only could India have some chance of making a success of the new form of government which they were seeking to introduce.

Referring to the question of safeguards, Mr. Villiers said that what they wanted first was what might be termed executive safeguards to enable them to live their lives as decent, modern citizens in India and, secondly, they wanted facilities which would enable them to carry on their trade and industry unhampered.

The speaker concurred with Sir John Simon when he suggested that the provincial governors should be vested with powers of veto on discriminatory legislation. The speaker demanded that in addition to this provision, recommended in the Simon Report, there should be a declaration of rights. He pleaded for methods for bringing about better feelings between Europeans and Indians. He was confident that the present artificial atmosphere of hatred would die a natural death.

Coming to the question of law and order, Mr. Villiers said that Sir John Simon, after very deliberate consideration, came to the conclusion that law and order must be transferred. The difficulty of the situation was that in certain provinces it presented no problem. In Madras, for instance, it had been a transferred subject for two or three years. In Bengal, on the other hand, it presented a vital problem to every one living in the city and scattered throughout the districts. It was for this reason that members of the committee of the Association looked upon this problem with suspicion, so far as Bengal was concerned. They questioned her ability to maintain law and order. They proposed the acceptance of the general principle of law and order, so far as India was concerned, in the Round Table Conference, but the exact method by which that transfer should be put into practice should form the subject matter of separate and subsequent provincial agreement and, until that agreement had been reached by a 75 per cent majority of each major community, it would not come into operation and the present machinery responsible for maintaining law and order should go on working.

Mr. Villiers repudiated the allegation that members of the Calcutta branch were defeatists. Could any one, he enquired, accuse them of defeatism when at a time of need, they could provide 500 special constables for the maintenance of law and order in the city?

Col. W. M. CRADDOCK, who seconded the official resolution, said that the question before the European community was so vital that he would ask the different groups to compose their differences by the exercise of a little goodwill and give and take so that they could yet send their representatives to the Round Table Conference with a unanimous mandate from the European community in Calcutta.

There might be obstacles, contended the speaker, in the way of India's advancement towards self-government, but the object of helping India towards self government stood as the declared goal of British Indian policy and they had to honour that pledge.



Opposing the resolution, Mr. *H. E. BEAL* was of the opinion that it would be foolish to force upon Indians a constitution which India had rejected. Circumstances had changed since the Simon Commission left India. Many things had happened in the meantime and many people had been sent to jail, killed or wounded. In short, Congress had created a situation in the country which made the Simon Report a back number. They all knew that Mr. Gandhi had deliberately set out to extort a concession by intimidation. (Here, here, and prolonged cheers).

Opposing the resolution Mr. *H. H. HESSLING* said that he would strongly oppose any proposition which would have the effect of revoking their (British) birthright of protecting India. If they went on in that way, making concession after concession in the name of constitutional progress, they would one fine morning find that they had parted with their birthright or less than the proverbial mess of pottage. He had been asked who the defeatists were. His reply to that would be those who framed the resolution. The speaker did not plead or sue or beg for safeguards, but demanded as a matter of right equal privileges for carrying on trade and industry in the country. They wanted peace, but not at the cost of pandering to the clamour of the mob. Pleading for strong government, the speaker referred to the condition on the Frontier, which had wonderfully improved as the result of a firm handling of the situation.

Speaking next, Mr. *ARTHUR MOORE* complained that the Calcutta branch of the European Association had been very lethargic. When the Simon Report was in danger, they really did not do anything and now, after Parliament had risen, in the third week of August, and the whole of England was in Scotland and no one would listen to anything, they would say they had approved of the recommendations of the Simon Commission.

Continuing Mr. Arthur Moore said that any return to the Morley-Minto reforms would inevitably drive politics underground and they would be faced with the revival of the cult of secret criminal conspiracy, bombs and bullets.

Making a strong plea for a united front by the European community in Calcutta, Mr. *A. H. WATSON* said that they had assembled there to support Sir John Simon and his colleagues for the great effort they would make to carry their report through Parliament. Those who were advocating return to the Morley-Minto reforms were asking for the moon. "We are asking to revoke our birthright. We have been told that it would be a grievous wrong to support the Simon Report. To what else could we commit ourselves in this confusion? What else is there to which we can anchor?"

Proceeding, Mr. Watson said that the proceedings of the meeting were being watched with the keenest interest not only throughout India but throughout the entire civilised world. We therefore pleaded for a message, not of lack of confidence in the Government of India and the Viceroy, not of censure upon them for their weakness during past months, but rather to give encouragement to the men at Simla and elsewhere, who were bearing a heavy strain.

Mr. *G. N. ANDREWS* then rose to move his resolution, but the Chairman pointed out that unless the official resolution was disposed of, the substantive resolution of Mr. Andrews could not be moved. The official resolution was then put to the vote and, judging from the show of hands, those against it appeared to be in a large majority. The large auditorium of the New Empire Theatre was packed and all approaches to it were well guarded by constables and sergeants.

### Calcutta—22nd. August 1930

When the meeting re-assembled on Friday the 22nd. August Mr. *G. N. ANDREWS* moved that,

"In view of the attitude in India generally towards the Government of India Act of 1919 and the Simon Report and in view of the situation created by the events of the last nine months, this meeting, is of opinion (1) that it is essential that seditious propaganda and unconstitutional agitation should be dealt with firmly once and for all and that all measures with regard to political advancement should be postponed in the meantime.

"(2) That the Government of India Act of 1919 should be repealed at once and the Morley-Minto reforms of 1909 be brought into operation with such modifications as may be necessary."

Mr. Andrews referred to Britain's pledge and said that he seemed to remember something being promised to all those Indians who fought or did duty for Euro-

peans in India and overseas during the war. What have we done for them I wonder? We are all in danger of forgetting 1914-1918 and the goodwill that existed between the British and Indian people before Mr. Montagu came out here and deliberately created the blind revolutionary spirit and racial hatred with which we have to contend to-day. Mr. Montagu had no nationality and therefore it was impossible for him to conceive what is meant by patriotism and empire. This is the only excuse we can advance for his behaviour."

Mr. Andrews refuted the allegation of unsportsmanlike behaviour against Sir Hubert Carr, who, he said, was their most suitable choice for delegate to the Round Table Conference. He claimed to have been more or less over the whole of the territory covered by the Simon Commission during their visit to India, travelling and living under conditions in close proximity to the local inhabitants. If, therefore, in the face of his knowledge and experience, he were to countenance self-government or a parliamentary system of government for the population of India, he should be guilty of almost criminal laxity. Religion, tradition, environment and the natural inclination of the Indian were all against change and to force a system of democracy on to him when he did not wish it, was direct cruelty. According to him the Minto-Morley system meant going forward and not back.

He asked everybody to consider the grave responsibility with which they were faced, remembering that their decision might be the means of determining the salvation or destruction of an Empire built up by years of patient labour and sacrifice of Indian and British predecessors.

Mr. Andrews asked them if they believed that the self-parliamentary system of Government was suitable for India and that the Simon recommendations, which made no provision against the Governorship falling into the hands of a Swarajist, was generally in their own and in the interests of India; they thought that Government and the European Association had abided by the conditions laid down in the Montagu-Chelmsford preamble and that they were really bound by pledges to the further advance of self-government; and if it was their sincere belief that to effect and maintain discipline and law and order it would be necessary to resort to force and machine-guns. He wanted to make it quite clear that he was desirous at all costs of avoiding a split in the European community and perhaps wrecking the European Association. He accepted the amendment of Mr. George Morgan, deleting the second clause of his resolution and since he had agreed to compromise it was perhaps not too much to hope that his friends on the other side would retaliate in generous spirit and help to carry the amended resolution. To create two factions in the British community was suicidal and must not be done.

#### AN AMENDMENT

Mr. *GEORGE MORGAN* moved the following amendment to Mr. Andrews' resolution:

"That item 2 of that resolution be deleted: (2) that item 3 should read as follows:—That, as the terms of reference for the Round Table Conference are understood to be to discuss generally the basis of the future constitution of India, the recommendations of the Simon Commission should form the basis of discussion of any new Government of India Act, provided that the parliamentary system is definitely accepted by all parties representing India as being a suitable constitution for India."

Moving the amendment, Mr. Morgan contended that India had practically refused to work the Montagu-Chelmsford Act, that the reception of the Simon Commission had been generally unfavourable and that the events of the last nine months had upset everyone's pre-conceived ideas.

The first part of Mr. Andrews' resolution had called forth no opposition. They all wanted law and order enforced; they wanted lawlessness tackled; they wanted peace. Until they were satisfied that open sedition in India was at an end, they could not, if they were honest, pass an act giving a very large advance in responsible self-government. The Minto-Morley Act had been misunderstood. That was why he had moved that it should be deleted in order that there might be unanimity. He emphatically denied the allegation that they were diehards or reactionaries or that they were trying to go back on pledges given by Britain. They were giving their honest opinion. Was it dishonest to go slowly and carefully, he asked. The parliamentary system was at present in vogue, except that there was dyarchy in the Cabinet. Europeans never approved of dyarchy. The Simon report recommended a Cabinet with joint responsibility, which was as it should be, but were

they satisfied that the parliamentary system with its majority rule was suitable to India at present? They said, "No". There was little indication that anything that had already been thought of would be accepted. That summed up the present position and was what the Round Table Conference had to thrash out—the question as to whether, if democracy and the parliamentary system were accepted, they could not have safeguards by legislation.

The Simon report, however, gave cogent reasons why this could not be done. They said that every minority community would have to be safeguarded and all disputed cases would have to be decided in a court of law. All that could be done was to give powers to the Viceroy and Governors to step in. The whole question now was between the leaders of the Congress and the British Parliament.

"It is we or they, not we and they. Look at Bombay, look at Mr. Gandhi's terms." It was for Parliament to decide what to do. The people of India who really mattered were waiting for an answer.

Supporting the resolution of Mr. Andrews, Mr. H. E. BEAL said that Indian leaders and Congress were following the present unconstitutional methods in the belief that, unless they twisted the tail of the British lion in that way by doing something quite sensational, by warning him and if possible by frightening him, they could not get anything by way of concession. It was time, said the speaker, that they should be taught a lesson in such a manner that they would not forget that it was not the right way they were following to get self-government for their country. Let the Europeans do it now and swiftly and finally.

Proceeding, Mr. Beal said that 90 per cent. of the population of India were peasants. They were absolutely tired of the present political fuss. The minor professional politicians living in the country side, who were the real mischief-makers, were not following the present methods without any reason. It was quite possible to convert them to constitutional methods. On the other hand, if they were sent to jail, they would carry on agitation even from within jail.

The other day they held a meeting of the Working Committee of the Congress inside a jail and with the permission of the Government of India. That sort of nonsense must stop.

Mr. H. H. HESSLING supported the amendment of Mr. Morgan and referred to the speech of the Governor of Bombay delivered the other day, in the course of which His Excellency said, "There can be no negotiations for peace unless the methods to break orderly government are stopped."

Mr. J. A. TASSI, opposing the amendment of Mr. Morgan, but supporting the resolution of Mr. Andrews, asked why they should be trying to force upon India a democratic or parliamentary system of government against their wishes. Democracy had been given a trial in many countries of the East and had everywhere failed. The speaker advocated the scrapping of the Montagu-Chelmsford scheme as well as the Simon Commission recommendations and return to the Morley-Minto system of government, where there would be no Ministers but trained and efficient I. C. S. administrators to rule the country.

Mr. Andrews replying to the debate opposed the amendment of Mr. Moore.

Mr. W. K. Page supported the amendment of Mr. Moore and urged the house to support the resolution and thus have confidence in their committee. He humorously referred to the "unanimous" group who were not unanimous even amongst themselves.

Mr. C. Morgan said that the resolution of the committee was drafted after the opinion of solicitors and barristers of Calcutta was obtained and he therefore asked those present to support the committee, which had done so much work for the community.

Mr. Villiers on behalf of the committee said that he would accept the amendment of Mr. Moore.

Mr. Arthur Moore moved an amendment to the official resolution by adding the first clause of Mr. Andrews' resolution, relating to seditious propaganda, to it. This was accepted by the meeting by an overwhelming majority.

Moving the amendment, Mr. Moore said he did so in the hope that it would enable them to avoid a serious crisis in the internal affairs of the European community, at a moment when such a crisis was highly undesirable.

He read the official resolution of the committee and laid special stress upon the point where equal trade status was asked.

Mr. W. L. Travers in his capacity as President of the Association said that he was happy that a split has been prevented. They were not going to stand any

nonsense in discussing the future constitution of India with extremists and semi-extremists. It was time that the British spoke and spoke strongly.

The resolution as amended was adopted and the meeting dissolved.

### The All India Europeans' Conference

The following resolutions were passed at a Conference of delegates from branches of the European Association from all parts of India. The view of the Bombay and Punjab Branches had been submitted in writing, and the proxy of the Bombay Branch was held by the President. The Conference sat for two days, *August 25th and 26th* and its conclusions on all major issues were unanimous.

1. That this meeting accepts the general principles underlying the recommendations of the Simon Commission subject to such reservations as are necessary and better to ensure strong Government, justice to all sections of the community and the preservation of the personal liberties of, and the complete equality of, trading status between British and Indian subjects of the Crown in India.

2. That law and order shall not be transferred to a Minister responsible to the legislature in any province until the legislature of that province has passed a resolution in favour of such transfer by a 75 per cent majority.

3. That in the reconstruction of all legislatures adequate and effective representation by separate electorates shall be given to Muslims, other minorities and to Europeans. Provisions for such adequate representation should be made by status.

4. That the Mahomedans in Bengal and in the Punjab shall be granted representation by the separate electorate, on the basis of the percentage of population which the community has in these provinces.

5. That when the future of the franchise is considered by Government or by any commission which may be appointed for the purpose, the importance of genuine and adequate representation of rural interests be emphasised.

6. That Second Chambers be established in the Governor's provinces.

7. That the method of indirect election to the Federal Assembly by the single transferable vote be approved provided seats are reserved for minority communities and the present proportion of European non-official representation is maintained; and further recommends that the members of the Council of State be elected directly on franchise not lower than the present one, provision being made for the representation of special interests such as the Services, and Indian and European Commerce.

8. That the members of the Governor-General's Executive Council shall be appointed by the Governor-General to hold office for a fixed period; and that they shall not be removable by vote of the Federal Assembly, nor in any other way responsible to it.

9. That the suggestion of the Simon Commission that the appointment of some members of the Governor-General's Executive Council may be made from among the members of the Federal Assembly and of the Council of State, be approved.

10. That the form of Federation upon which the future Government of India should be based should leave all residuary legislative powers to the States and Provinces.

11. (A) That the European Association should support the recommendations of the Simon Commission that the Imperial authorities shall, by means of an imperial army, undertake and control the defence of India, in return for an agreed non-votable annual payment by India.

(B) That the Imperial Indian Army shall remain part of the Imperial Army so long as any part of the Imperial Army in India consists of British Officers or troops recruited by the Imperial Government; and that the control of the Imperial Army shall remain in the hands of Viceroy, who is responsible to the Secretary of State, and the British Parliament, whether the Army be engaged in the defence of India, or in aiding the Civil power.

(C) That the suggestion of the Simon Commission that the formation of a purely Indian Military force to be controlled and paid for by India, should be undertaken, be approved and an immediate examination of this matter by the Military authorities, with particular reference to the use of the present eight units as a nucleus of such a force would be welcomed.

12. That for the sake of continuity in the administration no more change than is absolutely inevitable should be made in the conditions of Service or recruitment to the Imperial Services and that every safeguard that can be devised should be adopted to secure the positions, prospectes and pensions of Europeans in the services.

12 (A) That all reasonable and necessary precautions should be taken to safeguard the position, prospects and pensions of Indians, Anglo-Indians and Domiciled Europeans employed under conditions similar to those referred to in Resolution 12.

13. That while approving of the recommendation that all High Courts shall be administered by the Government of India, the Court of final appeal shall be the English Privy Council.

14. That a clause be included in the new Government of India Act to provide for equality of trading status between Britain and India and that this be implemented by a convention or agreement which shall protect Britain's trade with India against discrimination in favour of foreign countries.

15. That statutory provision be made in the new Government of India Act for,

(I) Equality of individual status as between British and Indian subjects of the Crown resident in India.

(II) The protection of minorities against discrimination in legislation and administration.

(III) The restoration of those judicial liberties in regard to the criminal law, which European British subjects enjoyed prior to 1923, and which should be equally available to Indian British subjects as demand for them be made.

16. That a convention or agreement be drawn up between India and Great Britain detailing the safeguards which are necessary against any discrimination which is incompatible with the general demands of a European British subject for equality of status in India.

17. That while appreciating the efforts that the Viceroy is making to secure the participation of all parties in India in the Round Table Conference, this meeting of representatives of the European Association strongly supports His Excellency's avowed determination to make the complete abandonment of the civil disobedience movement a condition precedent to such participation on the part of the Congress.

18. That this meeting is of the opinion that the Congress revolutionary movement, with its boycott of British goods and firms, cannot be stemmed by concession or conference, and considers that the Government of India should take drastic measures to combat the movement with all the resources at its command. It is further of the opinion that the situation requires immediate action and any further delay in the hope of creating a favourable atmosphere for the Round Table Conference is not only undesirable but dangerous.

19. That whatever the recommendations of the Round Table Conference may be no change in the present system of Government in India shall be effected until seditious propaganda and unconstitutional agitation have been finally dealt with and the civil disobedience movement is ended.

### The European Association Dinner

The annual dinner of the European Association was held in Calcutta on the 22nd. December 1930, and was attended by a large number of guests, including Their Excellencies Lord and Lady Irwin, His Excellency Sir Stanley Jackson and Lady Jackson, the most rev. Lord Bishop of Calcutta and Metropolitan in India, Lord Hardinge, Sir B. L. and Lady Mitter. Addressing the members of the Association His Excellency the Viceroy in the course of his speech said :—

It has so happened that my five years of office have coincided with what must in any circumstances have been a period of intense political activity and no one knows better than I how great has been the help that during that time I, as head of the Government, have received from the European community. Especially has that been the case during the last difficult year. I do not now speak of those difficulties which are weighing so heavily upon the economic life of India and with which I had occasion to deal a few days ago. I rather refer here to those political affairs which have lately occupied so large a place in all our thoughts. The ship of state has been encountering rough weather and it is at such times rather than when the sky is clear and the seas are smooth that help is valuable.

#### WHAT IS 'STRONG GOVERNMENT'

From one quarter the general criticism that we hear is of course that there would have been no trouble or that any trouble would have immediately disappeared if only the country had had what is called 'strong government.' I notice that those on

whose lips this phrase generally lies are often more unanimous in their denunciation of the Government than in describing in exact terms the matters in which executive action falls short of their ideal, and I find some difficulty in ascertaining clearly what it really is that they have in mind. During every week of these last months my Government have worked in the closest cooperation with His Majesty's Government on the one side and with the local Governments on the other reviewing the situation from week to week exploring new means of countering new developments, and on no single occasion has there been difference of opinion between any of the parties concerned on any point of substance affecting the special powers for which the local Governments, after a due deliberation and with a full sense of their responsibility, deemed it necessary to ask. We examined in detail the various proposals put forward by unofficial persons and in the press, and in many instances have incorporated them in the powers we thought it right to assume. Others, on examination, revealed insuperable objections and were evidently impracticable. And, therefore, without, as I have just said, claiming any infallibility for the Government, I think I am entitled to ask men and women of sober judgment why those who compose the local Governments and the Government of India and who together represent a good deal of varied Indian experience must be supposed to have forfeited, because they hold official positions, whatever may have been their natural endowment of common sense, and why they, applying their minds day in and day out to the problem of how best to combat the threat of civil disobedience, are more certainly all wrong than the critics who have not the same facilities for information and who therefore have not the same opportunity of forming their conclusions.

The truth, I fancy, is that such critics are firm believers in what I may call the practicability of shortcuts. In *Alice in Wonderland*, as you will remember, the queen had only one way of settling all difficulties great or small. 'Of with his head' she would say, without even looking round and that policy translated into terms of real life will always offer powerful attractions when men are impressed with the disturbance that is being caused by particular agitations and believe that a speedy and effective remedy lies ready to hand in the shape of vigorous executive action.

Now, I think the Government can do and ought to do many things to protect those who want to obey the law and to punish those who break it, and I am constantly told from other quarters that we have done far too much, but I definitely do not share the view that any Government action, however drastic, will or can be as powerful a solvent of these troubles as will be the gradual force of public opinion which must sooner or later awaken to the fact of how mistaken is the course that the country is invited to pursue. The conditions, for example, of prosperous and friendly commercial intercourse will always depend far more upon public opinion than upon Government action, and however emphatically we may condemn the civil disobedience movement—and nobody can feel more strongly than I do the harm that it has done and is doing to the cause of India—whatever powers we may find it necessary to take to combat it so long as it persists, we should, I am satisfied, make a profound mistake if we under-estimate the genuine and powerful feeling of nationalism that is to-day animating much of Indian thought, and for this no simple, complete or permanent cure ever has been or ever will be found in strong action by the Government.

#### UNDERLYING FORCE OF NATIONALISM.

Before this movement started I formed the definite view, which everything that has happened since has only reinforced, that it would no doubt be possible to apply a far more ruthless policy of repression than anyone has yet suggested and after a space of time, be it short or long, to create a desert and call it peace. Such a policy would have involved a rigid censorship of the press, compared to which the operation of the Press Ordinance would have been negligible, the strict prohibition of all hostile expressions of opinion in all forms, the suppression of the ordinary law of trial and punishment over a wide field and other action of similar kind. But any such policy, apart from all other considerations, must be judged not only by its immediate effects—let these be as favourable as the sternest advocate of the plan might desire—but by its ultimate results, and these again must be placed in relation to the wider purposes that you have in view. We all know what these are and—here I do not believe that any man can doubt that so far from facilitating the accomplishment of the principal purpose of Great Britain, which is to lead India to self-government and to retain her as an equal and contended member of the Imperial family of nations, such action, even if otherwise feasible, would on the contrary

aggravate your task quite indefinitely and probably destroy any hope of bringing it to a successful issue—the British people, more than any other, ought to know that in so far as the matter is one affecting the forces that we call nationalism, it cannot permanently be dealt with on such lines. The Government has a clear duty to maintain the law and to resist attempts to substitute another authority for its own, and I am glad to have this opportunity of paying a tribute to the manner in which Their Excellencies Sir Stanley Jackson and Sir Hugh Stephenson who recently acted for him and all their officers have during these troublous times upheld the administration of his presidency. But if the Government is wise, it will remember that, to the extent to which these things are only the symptoms of underlying causes, they call for a different treatment.

#### REPRESSION DIRECTED AGAINST SOCIAL MENACE

At the other extreme is the line of criticism which denounces the Government as repressive, the enemy of all true progress and national feeling. In answer to this charge, the policy of the Government has so often been made plain that I must ask your forgiveness for restating it once again.

The fact that civil disobedience claims to rest upon a harmless gospel of negation has not prevented its rapid development in practice into a positive challenge to the constituted Government and a grave menace to the good order of the whole body politic. Sir, those who summoned from the deep this spirit of law-breaking in support of a so-called non-violent movement cannot escape responsibility when their gospel has led ill-balanced minds to have resort to methods of violent terrorism, of which you have had experience in Calcutta and Bengal during the last few weeks in such crimes as the murders of Mr. Lowman, Inspector Tarini Charan Mukerji and lastly Col. Simpson.

It is always within the power of reckless miscreants to take the lives of their fellow-men and to inflict untold pain and sorrow upon those who held those lives dearer than their own, but action of this kind will not deter men who know their duty from its performance any more than it will deflect on one side or the other the judgment of those with whom rests the responsibility for considering and framing the political structure of the future. I know full well how deep and how bitter is the resentment which such happening excite in the hearts of all loyal citizens, and there is not one of us here who can for a moment forget the strain that they impose most of all upon the police. I should like to express here publicly my sense of the great debt that the Government owes to the police generally and particularly to Mr. Craig and Sir Charles Tegart, himself only lately the object of one of these criminal attempts, for the example of steadiness, wisdom and gallantry they have set to the forces that have the honour to serve under them and of which they have the honour to be chiefs.

#### NO OBSTRUCTION OF INDIA'S ADVANCE

If repression means the determination to resist this menace, the Government readily plead guilty to the charge, for no Government worthy of the name could do otherwise, but if by repression our critics mean that the Government desire, by any action they have been forced to take, to strangle national aspirations or to obstruct India's constitutional advance, then I say that no such charge can be levelled against those who were responsible for commenting upon Sir John Simon's report as we did in the Reforms Despatch of the Government of India published a few weeks ago. In that despatch we made no attempt to under-estimate the force of the political currents influencing Indian thought and we recorded our view that in the future relationship between Great Britain and India the time has definitely come for the relation of partnership to supersede that of subordination.

That is a step, surely, of deep significance to those who reflect on the past relations of the two countries, bolder than some of our critics might have thought wise and far-reaching in its implications. I have seen it said in many quarters that the actual proposals made by the Government of India do not in fact translate this view into practical reality. That criticism I believe to be based upon an imperfect appreciation of the manner in which such arrangements as we fore-shadowed might, with goodwill on both sides, be expected in practice to operate. It seemed to us, moreover, of fundamental importance to examine in detail how provision might be made for the collaboration of the two partners in a form that historically and constitutionally would for the first time endow India with that political entity that has been the antecedent condition of all self-governing institu-

tions throughout the Empire. On the forms of machinery best suited to our purpose opinions will be many. We claim no monopoly of wisdom and there may well be other means by which this object can be achieved.

I was much gratified to hear what you, Sir, said as to the Round Table Conference now sitting in London, of which we have all watched the progress with close attention and with earnest prayers that it may win success. Since that Conference assembled the general setting of the picture has been greatly changed by desire shown by the representatives of both British India and the States to launch the new constitution in the form of an all-India federation. It would not be proper for me, nor indeed is it possible for any of us, while discussions are still proceeding, to pronounce upon the merits of the plan upon which the conference has been engaged. We all know how grave are the difficulties that they have to overcome. But I am certain that if and when their labours reach agreed conclusions, possible in a form different from that which many of us on such information as we possessed had supposed to be immediately within the reach of practical constitution-builders, we shall desire to give those conclusions a full and most sympathetic consideration. Realising how truly His Majesty described the issues that hang upon these deliberations as of a momentous kind, on behalf of my Government I can readily say that any scheme which will adequately meet the various facts of which we have to take account and will satisfy the main principles by which we believe the problem to be governed is assured in advance of no grudging reception at our hands.

#### A VISION OF FUTURE INDIA

More than once I have expressed the opinion that, given a spirit of mutual accommodation, there is no reason why it should pass our powers to reach an agreement. An agreement, however, will not be reached by the cold light of reason alone, and to warm and fire our imagination we need to fix our gaze steadily upon the entrancing picture of an India spontaneously and gladly claiming her full share of imperial responsibility and privileges as a co-partner in the common heritage of the British Commonwealth. With India resolving her own internal difficulties, and with this vision before my eyes, I desire to see Great Britain freely extending her trust to Indian rulers, statesmen and people, who in return would not less freely offer to Great Britain any constitutional securities that in the early days of the new arrangements might promise to strengthen that trust and place it firmly on a basis of mutual respect and understanding.

Upon that basis only can constructive work satisfactorily proceed, and without it our castles will all be castles in the air. The history of British relations with India in the past is a monument to the co-operation of two peoples in commerce and in administration. Changing forms of government will not lessen the need for each nation to rely upon the other for those qualities which on either side have contributed to a long prospering partnership. I most earnestly trust that the same mutual good sense and capacity for seeing the problem from the other fellows' point of view will now stand us all in good stead and in years to come permit each and every community, that is interested in this great land of India to look back on their work at a difficult time and say that it was good.

## The All India Christian Council

An emergent meeting of the All-India Council of Indian Christians was held at Lucknow on the 11th. and 12th. July 1930 under the Presidency of Rev. B. A. Nag, of Bengal. Representatives from seven different provinces were present. The present political situation, the Round Table Conference and the Simon Commission Report were the chief items of the agenda. With reference to the Simon Commission Report the following resolutions were passed :—

1. We read with profound disappointment the report of the Indian Statutory Commission, presided over by Sir John Simon. In our opinion the report is not only inadequate and unsatisfactory, but it is reactionary and inconsistent with the declaration of 1917 interpreted in the light of the recent announcements. Its recommendations, such as the complete separation of the Army, the ignoring of immediate



and much more rapid Indianisation of it, ministers from the Civil Service, no change in the Central Government and excessive power for the Governors are extremely retrograde. The Council does not desire to make detailed criticism and it does not regard its general scheme as the true foundation on which India's constitution can be built consistent with the present demand of India. The commission has failed completely to grasp the aspiration of modern India.

2. As regards reference to Indian Christians in the report of the Simon Commission, the Council desires to make it plain that Indian Christians can never regard nomination by the Government as a means of giving representation to Indian-Christians. We would prefer no representation to representation by nominations. The recommendation of the Commission regarding the number of seats to be reserved for Indian Christians does not meet the requirements of the situation, and the Council, on a future occasion, would take opportunity to voice the opinion of the community in this respect."

### **The Council's statement on Political Situation**

The following is the text of the statement adopted by the Council at its meeting in Lucknow on the *11th. July.* :—

The All-India Council of Indian Christians views with grave concern the rapid development of the present situation into a deadlock. The large majority of our community do not belong to the Congress party, and do not subscribe to the present methods of civil disobedience for a political purpose. We are therefore in a position to understand clearly the spread of the movement initiated by Mahatma Gandhi beyond the bounds of the Congress party in every direction among men and women of all other parties and no party. The movement is no longer a Congress movement ; it is steadily becoming a national movement.

On the other hand we can well understand the Government in the responsibility it feels to maintain the law of the land. In the discharge of that difficult duty the Government has thought it necessary to employ physical force and to promulgate various ordinances. Allegations have been made that the violence and physical force used by the police on several occasions have been altogether excessive than the exigencies of the situation demanded. In our opinion the promulgation of ordinances and the employment of other extraordinary methods were unnecessary, and have been the means of aggravating the situation and making it more critical. The difficulties of the situation have been great. But the more powerful and organised a Government, the more it stands condemned for employing methods which cannot bear the scrutiny of the highest principles of Christian civilisation. However that may be, the results are obvious. The Nationalistic Movement has grown in strength and in extent. Even if the external demonstrations of it are stamped out by the present methods, we are absolutely convinced that India has now reached a further definite and determined stage in her attitude towards the British connection from which it cannot by any manner or means recede.

It is our observation that India has in the last three months indicated in the clearest way and in substantial unanimity that her place in the British Commonwealth should be that of a Dominion and that immediately. India has indicated this in the most arduous of ways, the way of suffering and sacrifice.

This has been further elucidated since the publication of the Simon Commission Report. The universal chorus of disappointment with which it has been received was because the scheme set out by the Report was not based on any outline of a Dominion Constitution. On the other hand, if adopted it could work out no approach to Dominion status in any measurable period of time. In November last, H. E. the Viceroy definitely spoke of India being placed on the road to Dominion status. The Commission would place India on a road entirely different from it.

We appreciate most highly the earnest and sincere anxiety of H. E. Lord Irwin to find a solution of the present tragic situation in the country. We should have been happy if he had gone the whole length desired by the leaders of all the important parties in the country as regards the scope of the agenda of the Round Table Conference, and so terminated the impasse. But we see from His Excellencies address of July 9th that in the present situation in Britain he is unable to go so far.

At the same time, the Viceroy has now reiterated the assurance (a) that the direction of India's constitutional advance is decidedly towards Dominion status, (b) that the Simon Commission Report will be only one of the documents which the

conference will have before it as a body which is free to deliberate on its own agenda, and (c) that whatever the conference arrives at as its common mind will be the basis for what His Majesty's Government will place before Parliament. This statement should be given its full value in the light of all that has happened and been said in England in the last nine months and more especially after the publication of the Simon Commission's Report.

Our All-India Conference which met in Lahore last December welcomed the proposal of a Round Table Conference. We still believe that the solution of the constitutional problems of India can be found only at a conference at which all the chief interests are adequately and acceptably represented. We do have the faith that H. E. Lord Irwin will recommend for participation in that conference persons who are competent to express the views of the various important political parties and who are thoroughly acceptable to them.

While we do welcome the conference, we wish to make certain points :—

(a) The mind of India as regards the main issue has already been indicated through the way of suffering. It is "immediate Dominion status with transitional safeguards." This should, therefore, be laid down as the limiting scope of the Round Table Conference within which and around which all other problems great and small should be worked out. Now that the Viceroy has signified that he cannot give any pledge, the Round Table Conference itself should lay this down as the definition of its scope.

(b) But we fail to see how even the most carefully constituted conference doing the wisest and most progressive work can produce anything acceptable to India if the present deadlock is not terminated before the Conference. Moreover, some of the master minds in the land and many of those who have real influence over the minds of the great masses of our people, are now in prison. No conference can be said to be really representative of India which does not include or at least carry on important points the approval of those persons. We, therefore, add our voice to those many who have already urged the Government and Mahatma Gandhi to terminate the situation. To prolong it any further will be to sacrifice the interests of the country.

(d) Whatever may be the precise formula on the basis of which the present situation is terminated, we feel it our duty to our country and to the third largest community in it which we represent, to lay it down as a mandate that the representatives invited to the Round Table Conference should ask the Conference itself to lay down a Dominion constitution as the main basis on which all other problems of internal and external relationships and responsibilities as, e. g., of the Army, should be worked out.

(c) If the present situation is not terminated peacefully the Council will meet again to decide the course of action as to participation in the Round Table Conference or not.

The natural and abiding security of a minority community is in the confidence and goodwill of all the other communities along with whom it makes up the nation. The essential condition for securing and holding such confidence and goodwill is in the clear fact that the minority community is in every sense identified with the national aspirations and ideals of the country. Where a minority is above all suspicion in regard to its identification with the nation, any assistance which may come to it because of the political relationship of its country with a foreign nation, however necessary it may be in certain stages of the history of the country, can only be of a temporary nature. Any advantages which may come from the presence of an outside authority ought to be secured sooner than later from internal adjustments on a basis of generous and open confidence.

In regard to this the attitude of the majority is obviously of determining importance. It should be such as to win the ready confidence of at least all the moderate elements in the minorities.

We endorse the view of our All-India Conference of Lahore 1929 that the community which we represent will gladly agree to an entirely democratic arrangement throughout the country in which there is no special concession to any community.

As a second best, we should agree to the system of "reservation." But we look with extreme disfavour on the system of communal electorates and shall have to advise our community not to accept it even if it be offered. We do appeal to all other communities at this hour of unparalleled national crises to rise clear of the suspicion by which our country has been repeatedly ruined in the past, and to agree to the system of reservation.

Even the system of "reservation for minorities" is not free from problems of difficulty. We have our own views about them which we shall state at the proper time and occasion. Meanwhile we shall go so far as to submit that for the purpose of the main task of the Round Table Conference the minorities should be willing to agree to fairly reasonable adjustment providing in the constitution for its automatic revision from time to time in the light of actual experiences. We confess to grave concern that the great possibilities of constitutional advance through the proposed Round Table Conference might be jeopardised by the obstinacy of the extremists of the various communities. While we have spoken frankly as to our opinion regarding the minorities, we must with equal candour appeal to the majority community to so change its attitude towards the other communities as to win their confidence and dispel all their suspicions that the minorities may not have fairplay or opportunity for a full expression and development of their culture and heritage. We trust that principles of moderation and mutual confidence will prevail, and that a firm and reliable agreement will be arrived at among the representatives of the communities before the Conference meets.

Realising that many of the disabilities of the minorities arise in the processes of administrative discrimination, we believe that very effective relief may be found through arrangements on the lines of the minorities department of the League of Nations which operates not through legislatures or the judiciary but by the employment of authoritative "influence" which whenever necessary is supported by mobilised public opinion. We believe further that such an arrangement will obviate the necessity for the statutory provision of any mathematical ratios in the legislatures or in the public services.

We are confident that our own community, especially the rising generation, is well aware of the fact that the place of a minority in a nation is its value to the whole nation and not merely unto itself. That value depends upon the quality of its life, the standard of its preparation for life's various activities, the strenuousness with which it throws itself into all avenues of useful service and the genuineness with which it seeks the common weal. We are well aware that in the peculiar social situations in India, even with all the values we have indicated, there are and will continue to be unmerited hardships falling on individuals and groups. But we record our conviction that while many of such hardships and disabilities will be met by such administrative devices as public services commissions and by reservation in the legislatures and councils, the real solution is to be found in the positive and constructive methods of the community straining every nerve to make itself qualified, efficient, useful, and even indispensable to the nation.

The statement was signed on behalf of the Council by Messrs. B. A. Nag, President (Calcutta); K. T. Paul, (Salem); S. C. Mukerji (Calcutta); K. L. Ralia Ram (Lahore); J. R. Chitambar (Lucknow); A. S. David (Lucknow); S. K. Tarafdar (Bhagalpur); D. S. Ramachandra Rao (Bangalore); Augustin Ralia Ram (Allahabad); Joseph N. Mukand (Lucknow); B. L. Ralia Ram, Secretary. (Lahore).

## The All India Depressed Classes Conference

The following are extracts from Dr. Ambedkar's presidential address at the first session of the All-India Depressed Classes Conference held at Nagpur on Friday the 8th. August 1930 :—

The one question that is looming large in the horizon to-day is, "Is it possible for the peoples of India to become one united self-governing community?" It has been pointed out that the Indian people are composed of a large number of distinct races; that they profess various religions antagonistic in their creeds and diverse in their rites; that they speak different languages and are separated from each other by discordant prejudices, by conflicting social usages and by opposing marital interest. The question is asked, how can a heterogeneous mass of humanity function as a self-governing community? There are hard facts and no wise man can ignore the bearing which they must necessarily have upon the questions of self-government in India. But, admitting these hard facts, what is the conclusion to be drawn from them?

## FEW PARALLELS

Gentlemen, before you proceed to pronounce your opinion let me draw your attention to certain facts equally hard. Consider the position as it obtains in countries like Latvia, Rumania, Lithuania, Yugoslavia, Estonia, and Czechoslovakia. These are new States which have come into being after the close of the great war of 1914 which was fought with the avowed object of establishing the principal of self-government throughout the world. Those newly constituted States are all of them self-governing sovereign, independent States, each supreme in its external and internal affair. What are the internal social conditions in these States? You will be surprised to know that they are as bad as in India, if not worse. In Latvia there are Letts, Russians, Jews and Germans, besides other nationalities. In Lithuania there are Lithuanians, Jews, Poles and Russians in addition to other smaller minorities. In Yugoslavia there are Serbs, Croates, Slovenes, Rumanians, Hungarians, Albanians, and Germans, not to mention other Slave people. In Estonia there are Estonians, Russians, Germans and other small groups. In Czechoslovakia there are Czechs, Germans, Megyars, Ruthinians and others. In Hungary there are Magayrs, Germans and Slovaks. Different by race and language these groups form so many warring nations within their respective States. There is not even that religious unity to cement these heterogenous elements into a common whole. You will find amongst them four or five different sorts of Catholics. There are Roman Catholics, Greek Catholics, Czechoslovak Catholics. Besides Catholics you have Evangelicals, Jews, Protestants, not to mention the small creeds that prevail there.

## WHY NOT INDIA ?

Is the Indian cosmos more bewildering, more heterogeneous than the human cosmos we find in these countries? I dare say it is not. In making your decision about India you shall have to take cognisance of these facts if your judgment is to be honest, independent judgment. Gentlemen, is there any answer to the question that arises as a result of this comparison that if Latvia, Lithuania, Yugoslavia, Estonia, Czechoslovakia, Hungary and Roumania, with all their difference of race, creed, language and culture, can function as united self-governing communities why cannot India?

It seems to me, to insist that the divergent elements in a country shall be one united whole before it can have the blessings of self-government, is sometimes to reverse the order of things and to ignore the unifying effects of the great process of self-government. It is given to very few countries to have within their boundaries a homogeneous people connected by one language, one religion and one culture. But there are many in which as a result of historical, geographical and political factors, sets of peoples, differing in their creeds, in their languages and in their cultures, have been intermingled. Such people could never have become heirs to a system of self-government which is theirs to-day, if the rule of homogeneity had been applied to them in all its absolutistic rigour.

And after all is said and done, has not the system of self-government itself been the cause of unification of many a people who in its absence would have remained as discordant and as distinct as they were in their original condition? Has not the self-governing constitution adopted by the German Empire been the cause of the unification of the German people? I venture to say self-government would be the most potent instrument for the realisation of that ideal.

You will no doubt ask, is this diversity of conditions and peoples prevalent in India a matter of no consequence? Need we not take it into account in framing the constitution for a self-governing India? I say without hesitation that we must. In a self-governing India which did not recognize the hard facts of Indian society the strings of political power will be in the hands of the ambitious member of the upper strata of Indian society drawn from the high-placed, well-educated and opulent castes, i.e. in the hands of the aristocracy of wealth, education and social standing. In politics, as in other walks of life, the victory is always to the stronger. The aristocracy will have the resources derived from wealth and education.

## NO CASTE RULE

If the effect of the ignoring of the social facts is to make the aristocracy of wealth, education and social standing the governing caste, I think it is our duty to prevent it by all means consistent with our aim. For surely we ought not to be content with the mere change of masters. I agree with the congressmen that no country is good enough to rule over another. But I must also take the liberty to

tell him pointblank that the proposition does not end there and that it is equally true that no class is good enough to rule over another class. In the competition between the members of the European bureaucracy and the native aristocracy—I am using the word to denote the combined force of wealth, education and superior social standing—as to who can best look after the masses, the aristocracy asserts, that as far as knowledge of the conditions of the life of the masses, their habits, their way of living and thinking, their wants and grievances, and ability to enter into their thoughts and appreciate what is necessary for them, are concerned, it has all these in a far higher degree than the European bureaucracy can lay claim to. But, be that as it may, it seems to me that the aristocracy cannot escape the charge that its members have in them a class bias, a definite clanishness, a tendency to favour their own kindred, which makes them quite unworthy of being entrusted with power to decide the destiny of the masses.

In this country there are between 50 and 60 millions of people who are suffering from the curse of untouchability, a curse and a calamity unknown in any other part of the world. They are denied the elementary rights due to every human beings and refused the benefits of civilization and culture. Without equality of opportunity theirs is the most degraded condition. Besides the untouchables there is still in this country an equally huge population of aboriginal and hill tribes who are left to roam about in a nomadic and barbarous state without any attempt to bring them within the pale of civilization and culture. These things bear an eloquent testimony to the spirit of service and the sense of responsibility which the aristocracy has shown in the past. We are asked to believe that the conduct of the aristocracy will be entirely different in the future. I am not sufficiently credulous to accept this. For, I know of no instance of the satans of to-day to have been transformed overnight into angels on the morrow.

We are also told that the settlement of the social problem should wait till the political freedom of the country is achieved. A wise man will not fall in with this line of thought. Before one enters into what is called a parlour one must make certain that it is not a trap. Everyone of us knows or ought to know that those who are in possession of power seldom abdicate in favour of those who are out of it. You cannot therefore hope for the effectuation of the settlement of the social problem if you allow power to slip into the hands of those who stand to lose by the settlement unless you are prepared to have another revolution to dethrone those whom you have helped to capture power. Gentlemen, my advice to you is the advice of the great political philosopher Edmund Burke who said "Better to be despised for too anxious apprehensions, than ruined by too confident a security." Following that advice, I think it would be just and proper for us to insist that the best guarantee for the settlement of social problems is the adjustment of the political machine itself, and not the will of those who are contriving to be left in unfettered control of that machine.

#### SAFEGUARDS FOR DEPRESSED CLASSES.

The scheme for the protection of minorities which obtains in post-war States consists in the enactment of clauses in the constitution recognising what are called the fundamental rights of the minorities. The Nehru Committee's report adopts this scheme as the best sort of protection for safe-guarding the interests of the Depressed Classes. I must sound a note of warning against your being duped by such a scheme. The Indian politician seems to have an inordinate degree of faith in the efficiency of a constitutional law embodying what are called fundamental rights and is as eager to offer its benefits to the minorities in India as a guarantee against the autocracy of his own class as he was eager to have it in favour of his own class against the encroachment of the bureaucracy. We must however refuse to be satisfied with such a scheme for our protection.

While such declarations are not unwelcome it must be pointed out that no declaration of rights, howsoever comprehensive in its scope and howsoever clear in its terms and tenor, can ensure the enjoyment of those rights. The guarantee of a right consists not in its declaration but in the provision of a remedy for its enforcement in case it is violated.

In the constitutions of the post-war States I have mentioned, there is at least the provision that if the minorities feel that their fundamental rights are infringed and violated by the majority in power they can appeal to the League of Nations, which has a Committee appointed for the sole purpose of receiving and passing upon their complaints. Is there any remedy provided in the Nehru Committee's

Report against the infringement of the fundamental rights ? I find none, not even the appeal clause. The guarantee in the Nehru constitution is therefore quite illusory.

Even if there was the appeal clause in the Nehru constitution I would still advise you not to accept the scheme. A right of appeal to the League of Nations or to the Viceroy or the Governor would be a very desirable addition to the armoury of the Depressed classes. But it cannot be an effective weapon. The best guarantee for the protection of your own interests consists in having the power of control in your own hands so that you may yourselves be in a position not only to punish when the mischief to your interests is done but to keep a watch over your interests from day to day and to prevent possible mischief from arising. This will never be secured by leaving the power in the hands of the third party, be it the Governor, Viceroy or the League of Nations. For of what good will that power be to us if those who will hold it in trust for us refuse to exercise it when we call for their intervention ?

#### ADEQUATE REPRESENTATION.

The safest remedy for the protection of our interests seems to me lies in securing control over the future executive in self-governing India in your own hands and that you can have only by means of adequate representation in the Legislature of the country. It is by this means and by this means alone that we can keep a day to day watch upon the doings of the executive and thereby ensure our safety and our progress. If you can get other additional safeguards and guarantees by all means have them. They will add more strings to your bow. But let nothing offered as a substitute for adequate representation be acceptable to you. And you will be perfectly within your rights if you refuse to consent to any change in the political constitution of the country, unless a guarantee in the form of adequate representation is given to you.

The phrase adequate representation is on the lips of every minority in India. But owing to the difficulty of defining this quantitative terms it has, in its vague and indefinite form, become a field for acrimonious contention. But if we wish to give our demand some specific content, some quantitative definition of that phrase must be framed. There is prevalent in the Congress circles a theory according to which adequate representation is tantamount to representation according to population. In my opinion this arithmetical theory of the representation of minorities is a crude and absurd doctrine and forms the best reflex of the prevailing ungenerous attitude of the majority towards the minorities in India.

A Minority holds such power as it can derive from its members and its social standing. And it is because that it feels that this much power is sufficient for its protection that it claims an augmentation of it. Without such an increase in its representation it does not feel strong enough to withstand the source of the majority armed with political power. On this view, the protection of the minority consists in an increment or representation above its population quota. Now if this is true, one may well ask where is the protection of the minority if its representation is confined to its population ? To speak of protection to minorities and confine their representation to their numbers seems to me a contradiction in terms. To prescribe that the minorities shall be represented in the legislatures according to their numbers is to make the legislatures do nothing more than be a society in miniature and thus reflect the strength of the majority and the minority in the proportion in which they exist in society outside. Such a scheme keeps the balance of power in tact. It keeps the "status quo" as it is. From the stand point of the protection of the minority interest, any reform in order to be a real reform, must involve a change in the balance of power in favour of the minorities and this can be secured only by allowing over and above its population ratio some weightage in the allotment of its representation.

#### WEIGHTAGE.

While all minorities are agreed upon the necessity of weightage in the matter of their representation, there does not seem to be any agreement in the application of it. This is due, it seem to me, to a want of clear understanding regarding the function that weightage is expected to perform. From what I have said above, it will be obvious to you that weightage is a scheme improvised for lengthening the arm of a minority, which otherwise would be too short for its protection. The length to be added must therefore depend upon the shortness of the arm. If the arm is short the length to be added must increase. If the arm is long, the length

to be added will have to be curtailed. To put it differently this weightage cannot be uniform for all the minorities and that it must bary with their social standing ; to be high, if the standing of the minority is low and to be low, if the standing of the minority is high. Unfortunately there is a tendency in certain minorities not only to place themselves on a pedestal higher than the common level of the ordinary citizen, but also to monopolise a larger share of representation, not on the ground that their social standing is low, but because their social standing is high. As I have said the idea underlying weightage to a minority is the same as tempering the wind to the shorn lamb and we must therefore guard against such a perversion thereof, as I have referred to, which cannot but result in injuring the interests of the country and of the other minorities as well.

So far I have only given an indication of the right line of approach for the proper application of the principle of weightage to minority representation. The question of determining the exact quantum of weightage still remains. That must vary with circumstances and I cannot do more than suggest a general principle for computation. It is this. First of all, by a mutual agreement between the majority and minority communities a figure should be arrived at for a maximum increase in the population ratio of representation to be called the weightage-factor. In its application to a particular minority for determining its quota of adequate representation the weightage-factor would be made to vary inversely with the social standing of the minority defined as it must be by (1) its social status, (2) its economic strength and (3) its educational position. If this is done, it seems to me, we will have a settlement between the minority communities themselves and between the majority on the one hand and the minorities on the other which will be just and equitable and will leave no cause for complaint to any of the parties concerned.

#### ELECTORATES.

The questions that arise next in order for our consideration, pertain to the electorates and the franchise. Gentlemen, what shall be our demand in respect to them ? Regarding the formation of the electorates there are two alternatives open to us. One is the scheme of separate electorates and the other is that of joint electorates with reserved seats. I know that the opinion of the depressed classes is divided on this question. There is a large body of the people in favour of separate electorates. They fear that in joint electorates the majority community having a right to vote in the election of our representatives will favour only such men from amongst us as will be subservient to them. I don't say that such fears are altogether without any foundation. But if this is true, then the remedy lies not in enclosing ourselves in a separate compartment, but in increasing our voting strength to the fullest possible extent by demanding adult suffrage so that we may thereby be in a position to minimise such influence, as the majority community may happen to cast in the election of our representatives. In my opinion, if we can get adult suffrage, and here I must say that we must insist upon it as one of our essential demands, we ought to have no objection to the scheme of joint electorates with reserved seats being applied to the Depressed Classes.

#### PUBLIC SERVICES.

There is another matter which must be of special concern to the Depressed Classes for their safety. That relates to their entry into the public services. The power to administer laws is not less important than the powers to make laws. And the spirit of the legislator may easily be violated if not nullified by the machinations of the administrator. This is not the only reason why the Depressed Classes should show special concern for securing power of control over administration. Often times under pressure of work or under difficulties of circumstances law has to leave a good deal of discretionary power in the hands of the administrative departments. The welfare of the people must greatly depend upon how impartially this discretionary power is almost exercised.

In a country like India where the public service is almost exclusively manned by people of one community there is a great danger of this vast discretionary power being abused for the aggrandisement of a class. The best antidote against it is to insist on a proper admixture of castes and creeds including the depressed classes in the public services of the country. We should demand a certain percentage in the public services to be preserved for the Depressed Classes and there will be no difficulty in guaranteeing this safe-guard to us by a clause in the constitution. Such a protection you could have dispensed with if there was any chance of the Depres-

sed Classes being represented in the future cabinets of the country. But there is not the remotest chance of this in view of the fact that the Depressed Classes will always remain in a minority. This makes it all the more necessary why you must insist upon such a guarantee.

#### EFFECTS OF BRITISH RULE.

There is no doubt that a kind of dwarfing or stunting of the Indian race is going on under the British rule. In the words of the late Mr. Gokhale, "We must all the days of our life live in an atmosphere of inferiority, and the tallest of us must bend." No Indian can feel that upward impulse which is the source of elevation witnessed in a self-governing community. You may not appreciate the moral grounds on which the claim to Swaraj is made to rest and you may even be amused by it when it is urged by members of the aristocracy as one is when one hears satan quoting scriptures in support of his cause. There is no doubt that the cost of the British Government in India is out of all proportion to the means of the people. It is the costliest government in the world. This again may not appeal to you and you may say that no cost is too great for the maintenance of law and order in this country. But there is one thing that I think must appeal to you and that is the poverty of the people. Is there any parallel to the poverty of the Indian people in any part of the world?

In the first quarter of the 19th century when British rule in India had become an established fact there were five famines with an estimated loss of 1,000,000 lives. During the second quarter there were six famines with a recorded loss of life of 5,000,000. And during the last quarter of the century what do you find? Eighteen famines with an estimated mortality which reaches the awful total of from 15,000,000 to 26,000,000. And this does not include the many more millions (over 6,000,000) in a single year kept alive by government doles.

Gentlemen, what must be the cause of this? In plain terms the cause is the deliberate policy pursued by the British in the Government of this country. The aim of the British Government all along has been to discourage the growth of trade and industry in this country. This is not an accusation which rests on mere inference. It is an admitted principle of British administration that India be so governed that she will always remain an open market for British goods. It is this policy which has made India the land of chronic poverty.

In this progressive impoverishment of the people who are those that suffer most? I am sure that of the half of the agricultural population which is admitted not to know from one half year's end to another what it is to have a full meal the Depressed Classes must form the largest part. Their abject poverty must make them ready victims of famines to which they must be paying the largest toll. If these are your people, if you are really interested in them you cannot shut your eyes or be indifferent to this heart-rending fact. Gentlemen, you cannot keep on singing the praises of a bureaucracy because it has given improved roads, constructed canals on more scientific principles, effected transportation by rail, contrived to carry letters by penny post and flash messages by lightning, has stabilised currency, regulated weights and measures, corrected the prevalent notions of theology, geography, astronomy and medicine and stopped our internal quarrels. All praise is due to this achievement in the field of law and order. But, gentlemen, we must not forget that people including the Depressed Classes do not live on law and order; what they live on is bread and butter.

This inexorable law of life must make even the Depressed Classes demand a government that will help the economic prosperity of the country and thereby effect a betterment in their material life. Some of you may question that the poverty of the people is due to lack of production and may urge that it is due to unequal distribution of wealth. I would be the first to admit that the much talked of "annual tribute" which the people of this country pay to England pales away in magnitude before the heavy exaction by the landlords and capitalists of this country from the paltry and hard-earned wages of the masses who toil for them. But I cannot understand how you can expect the British Government to give relief from the crushing weight of the landlords and the capitalists.

One thing we must remember that every Government, however powerful, suffers, as pointed out by Professor Dicey, from two serious limitations. There is first of all an internal limitation which arises from the character, motives and interests of those who are in power and if the British Government does not sympathise with the living forces operating in Indian Society, is inimical to its aspiration, is apathetic



to education and disfavour Swadeshi it is not because it cannot favour these things but because it is against its character, motives and interests to do so. The second consideration that limits the authority of every Government is the possibility of external resistance. Does not the Government of India realize the gravity of removing the social evils which are eating into the vitals of Indian society? Does not the Government of India realize that the landlords are squeezing the masses dry? Does not the Government of India realize that the capitalists are not giving the labourer a living wage and decent conditions of work? It does and yet it has not dared to touch any of these evils. Why? Is it because it has no legal powers to remove them? No. The reason why it does not intervene is because it is afraid that its intervention to amend the existing code of social and economic life will give rise to resistance. Of what good is such a Government to anybody?

Under a Government paralyzed between two such limitations much that goes to make life good must remain held up. We must have a Government in which the men in power will give their undivided allegiance to the best interests of the country. We must have a Government in which men in power knowing where obedience will end and economic code of life which the dictates of justice and expediency so urgently call for. This role the British Government will never be able to play. It is only a Government which is of the people, in other words, it is only the Swaraj Government that will make this possible.

Before the British you were in the loathsome condition due to your untouchability. Has the British Government done anything to remove your untouchability. Before the British you could not draw water from the village well. Has the British Government secured you the right to the well? Before the British you could not enter the temple. Can you enter now? Before the British you were denied the entry into the Police force. Does the British Government admit you in the force? Before the British you were not allowed to serve in the military. Is that career now open to you? Gentlemen, to none of these questions you can give an affirmative answer. Those who have held so much power over the country for such a long time must have done some good. But there is certainly no fundamental attention in your position. So far as you are concerned the British Government has accepted the arrangements as it found them and has preserved them faithfully in the manner of the Chinese tailor who, when given an old coat as a pattern, produced with pride an exact replica with rents, patches and all. Your wrongs have remained as open sores and they have not been righted, and I say that the British Government actuated with the best of motives and principles will always remain powerless to effect any change so far as your particular grievances are concerned. No body can remove your grievances as well as you can and you cannot remove them unless you get political power in your own hands. No share of this political power can come to you so long as the British Government remains as it is.

#### SWARAJ—ONLY SOLUTION

It is only in a Swaraj constitution that you stand any chance of getting the political power into your own hands without which you cannot bring salvation to your people. I know that to the majority of our people Swaraj is a weird apparition. It is very natural that it should be so. It recalls to their mind the tyrannies and oppressions and injustices practised upon them by their fellow-countrymen and they fear that under Swaraj these violations may recur. But, gentlemen, if you will for one moment forget the past and visualize the Swaraj of the future with its wholesome devices to protect the masses from classes you will find that far from being a weird apparition it is going to be a system of Government in which you yourselves stand the chance, other things being equal, of being amongst those who will be installed as the political sovereigns of this country. Do not be obsessed by the past. Do not be swayed by fear or favour from any quarters in making your decision. Consult your best interests and I am sure you will accept Swaraj as your goal.

#### DEPRESSED CLASSES AND CIVIL DISOBEDIENCE

Gentlemen, even if we support the ideal of Dominion Status with safeguards, does it necessarily follow that we must join the Civil Disobedience movement started in this country by Mahatma Gandhi in March last. This is a question about which you shall have to make your position plain. The movement is condemned as you are aware by all moderate opinion as being unconstitutional. That argument I

must confess does not appeal to me. What would you say if the orthodox classes were to tell you that your temple entry movement is an unconstitutional movement? That, instead of direct action, your proper method is by petitions to the orthodox classes, suits in Courts of Law and attempts to alter the Law? Would you be satisfied with such limitations upon your resources in your battle for freedom against the orthodoxy? It seems to me that you can insist upon the use of constitutional means only if there is an accepted constitution in existence. But where there is no such constitution, few will be inclined to listen to the gospel of constitutional means. Such a view cannot be strange even to the British mind. For, after all, was not the Ulster movement a movement of Civil Disobedience? And did not the best of British politicians support and participate in it?

The question is not whether the movement of Civil Disobedience is right or wrong. The question is whether it is opportune and consistent with the safety and security of our interests. I am opposed to the Civil Disobedience movement because I am convinced that it is extremely inopportune.

## The Indian Philosophical Congress

The sixth session of the Indian Philosophical Congress was held at Dacca on the 20th. December 1930 under the presidency of Mr. A. R. Wadia, Ag. Director of Public Instruction, Mysore. The following are extracts from the Presidential address :

The Indian Philosophical Congress has this month completed five years of its existence and nothing extraordinary can be claimed to its credit during this short period. It cannot be denied that it has led to intense philosophic thought, which in God's good time may lead to a renaissance of Indian thought, and Indian thought may once again regain its laurels.

There are two ideas of supreme importance governing Indian thought ever since its birth. The first is the supremacy of spirit and the second is its pragmatism, not the shallow pragmatism of the Americans, nor the pragmatism which makes man the centre or the measure of everything, but the pragmatism of a profounder type which makes philosophy not a mere play of intellectual powers but a basic principle of life. It is the supremacy of spirit that has made us conscious, through the ages, of the unity of life, the central core of Upanishadic thought and of the major proportion of all subsequent thought. The oneness of the Brahman has literally intoxicated every sage and Francis Thomson echoed this when he wrote :

All things by immortal power,  
Near or far  
Hiddenly to each other linked are ;  
That thou canst not stir a flower  
Without troubling of a star.

No wonder on such a sublime basis the Upanishadic seers and the Vedantic thinkers were able to rear a structure of thought, which penetrated the remotest corners of human heart and appeared to have solved once for all the riddle of life. But this very perfection coupled with the mode of its formulation carried within it seeds of weakness, which made the succeeding generations take a long philosophic holiday, they read and studied and worshipped thought but ceased to think. This has retarded the normal development of our thought right down till our own times. Until we become conscious of this, we in this Congress shall be handicapped in our efforts, and so I should like to put before you what appear to me to be the defects which have vitiated the philosophic inheritance of India.

### EASTERN AND WESTERN THOUGHT.

It has been generally claimed as a merit of Indian thought that it has known no conflict between religion and philosophy, that the religion and philosophical categories in the last resort are identical. That is why the mystical Upanishads are

regarded as a part of the Vedas, though some centuries divide them in time and contents are as the poles asunder. The Vedas are the result of a revelation and deal with the duties and ritualistic sacrifices expected of men, while the Upanishads deal with Reality through the medium of thought and so have a right to an independent existence. But once they are made to partake of the revealed character of the Vedas, they become an object of thought, not a living process of thought. They are put on a pedestal above criticism. Great metaphysicians like Sankara and Ramanuja were born centuries later but they too were content to formulate their philosophy only as humble commentators. Their originality and their profundity were all involved in making the Upanishads and Gita say what they wanted them to say. While Plato developed his thought in a dialogue form and Aristotle, summing up all previous thought, agreed to differ wherever he could not help it, and preferred truth to friendship, in building up his own system of thought, Sankara and Ramanuja created systems of thought, far more profound than any the world has ever seen, only as appendages to the revealed Vedas and Upanishads. The difference is striking and instructive, for it epitomises the history of Indian and Western thought.

#### SCPTICISM AND DOGMATISM

Scepticism and dogmatism are both the result of the weakness of human thought. The former is baffled by the riddle of existence and refuses to be baffled any further by seeking refuge in the gaiety of the moment, by taking cash and letting the credit go. But this mood of Omar Khayyam is just an escape more or less short-lived from the birthright of man as a thinking animal. There is another type of men serious and earnest who would fain solve the puzzles of life, but are baffled by a native incapacity to think, and so are content to live on authority and revelations. They are the religious minded and these included men who frightened by the scepticism of thought use their reason to establish the supremacy of Sabda Pramana, and this type has flourished both in the East and in the West. But there is palpable weakness in this. It develops a smug self-complacency, and what is infinitely worse a fear of thought, which makes cowards of the best of men. A stand-still system of thought makes no attempt to keep pace with the march of history. New situations arise and the old philosophy fails to explain new phenomena and so instead of helping man to discover himself it becomes a hindrance. Since religion is a matter of heart it is imperative that its stream should run pure and this can only be done when each generation is alive to its own needs and by living thought prevents religion from degeneration into a stagnant pool. This of course implies a strife of thought, a clash of intellects, but only thus can be kept fresh the zest for life, the purity of thought.

#### PHILOSOPHY AND RELIGION

In view of the fact that in India religion and philosophy are generally supposed to have been on the best of terms one might expect that religious practice would be thoroughly consistent with the philosophic theories. Here too our *prima facie* expectations have to face a rude awakening. The exquisite catholicity of Vedantic metaphysics, essentially unitary, has through the ages come into dire conflict with the grim demands of a social philosophy, essentially pluralistic. The theory of Varnashrama Dharma may be a mooted question, but there cannot be any difference of opinion as to how it has worked in practice. This is a social usage which ought to have its philosophic justification, and this has indeed been forthcoming but at a heavy cost, i. e. by sacrificing the Upanishadic monism and introducing a dualism, which has created more problems than it has ever solved. In this connection an exception will have to be made to a certain extent in connection with Ramanuja and Sankara apart from their followers.

#### CLASSIFICATION OF VEDANTIC SCHOOLS

It is significant that in the classification of the three Vedantic Schools, it is the 'Dvaitism' that furnishes the *fundamentum divisionis*, and 'Advaitism', in spite of its theoretical monism, in practice is rooted in dualism. Its whole ethic centres round the distinction between the 'paramarthaika' and the 'vyavaharika'. The former is real, the latter only phenomenal. The former implies an annihilation of all distinctions and is attained through the knowledge of the identity of the 'Atman' and the 'Brahman'. In theory this knowledge is open to all, in practice it is the privilege of those who through endless births have so developed themselves that 'moksha' through 'gyanam' is theirs by birthright. This is how 'Varnashrama' is sought to

be justified. Let us see its implications. It makes not merely the social organization, but also philosophy itself aristocratic, because philosophy becomes esoteric, it is the possession of a few. The vast majority have to be content with the ordinary 'achars' of life, the daily round of worship and ritual. In other words, while religion is the concern of all, philosophy adopts a patronising air of aloofness. The consequence has been that the religion of the common folk has degenerated, has become even fossilized. Philosophy that has to supply an adequate criticism of religious practice has failed in its mission and the dualism of the 'paramarthika' and the 'vyavaharika' reigns supreme, with Advaitism as just a fine finishing gloss to remove the acerbities of dualism. A similar dualism closely connected with the first one is to be found in the Advaitic distinction between the 'karma-mukti' or 'apekshiki-mukti' and the 'para-mukti'. The former is relative, the latter is absolute. The former is meant for the 'vyavaharika' and is a means to an end, the latter is an end in itself.

#### GANDHIJI'S PHILOSOPHY

There is no country in the world to-day, which is so favourably situated, for the study of philosophy as India, for it is in our universities that there is an intensive study of both Indian and European philosophy. The former in its original purity made philosophy the Way of Life, while the latter has made it a disinterested criticism of life. We need a synthesis of these two basic ideas, and such a synthesis has been forthcoming from the Indian of Indians: Mahatma Gandhi. He may not technically belong to our ranks, but the right to think, the right to truth is not the monopoly of any one, and after centuries we have in our midst a teacher, who is not content to quote scraps from texts, but can face life and can think and can teach.

It is not altogether an easy task to deal with the philosophy of Mahatma Gandhi, for he is a politician as well as a world teacher. In the history of the world no thinker of his eminence has cared to engross himself in the current events of his generation, but the time for the intervention has become ripe, for in the world to-day politics has become supremely important and therefore also so arrogant as to consider itself above even the bare principles of morality. There is need for a teacher, who could teach politics to take its rightful place in the scheme of things. Moralization of politics has been the dream of most political thinkers, to make it a reality has been the dream of Mahatma Gandhi, but an active politician cannot escape the great risk of losing the proper perspective and confusing between the universal and the ephemeral. We in the Congress are interested in the universal aspect of his teaching, and to that extent my task is simplified, but it would be impossible to pass over some inconsistencies between Gandhi the man and Gandhi the teacher. In order to bring out the significance of his teaching, I shall have to bring out as briefly as I can the mental make-up of his being, for this alone supplies the requisite background.

#### GANDHI THE MAN

A breadth of outlook has generally characterized the whole career of Mahatma Gandhi. There was a time when he appeared to hover between Christ and his native faith, and when he ultimately stuck to Hinduism, it was to a new Hinduism, revived and chastened through the crucible of his own thought. The Gita has been his constant companion and the doctrine of the New Testament has become a part and parcel of his very heart blood. That explains why he has said: "My religion has no geographical limits." Hinduism is the most difficult thing to define, and some of the most eminent Hindus have been content to define it in terms of birth or even negatively in some such terms as these: "It is enough if you are born of Hindu parents and have not been converted to another faith". It is no wonder therefore if for Gandhiji Hinduism is just "search after the truth through non-violent means." The addition of these last words is really superfluous, as no one outside Bedlam ever thought of discovering truth through violence. So defined as a search after Truth, Hinduism ceases to be a religion or a philosophy, and to speak of a Hindu in this sense has no exact significance. The habit of using old terms with new connotations has almost become chronic with him so that his terms sound national or geographical when in reality they are universal. He himself has admitted that he has been most influenced by the New Testament and then by Ruskin and Tolstoy. A seeker after truth needs must go where truth beckons him, and patriotic considerations cannot confine the area of his search. Similarly, in questions of bodily health, he pays a warm tribute of affection to Dr. Kushner and Dr. Just,

Such a man, such a Hindu can truthfully say : "For me patriotism blends with humanity."

When a man is so prepared to receive currents of truth from whatever sources they come, he is logically bound to make a full use of his reason. "I shall not make a fetish of religion and I cannot justify any evil in its sacred name. I have no desire to carry one single soul with me, if I cannot convince him by an appeal to his reason. I shall even go to the length of rejecting the divinity of the most ancient Shastras, if they do not appeal to my reason." This is a remarkably new note in the history of Indian thought. When Moulana Zafar Ali Khan wrote to him in anger for venturing to differ from the Koran in some particular respect, he had the courage to retort ".....even the teachings themselves of the Koran cannot be exempt from criticism. Every true scripture only gains by criticism. After all we have no other guide but our reason to tell us what may be regarded as revealed and what may not be." In this he has gone miles beyond the Sabha Pramana of the traditional Hindu philosophy and heralds the birth of a new epoch of thought. And yet this is done not with the arrogance of a mere nationalist but in the spirit of a humble devotee, who does not believe in the exclusive divinity of the Vedas, but recognizes the Bible and the Koran and Zend Avesta to be "as much divinely inspired as the Vedas."

What is accepted by reason may be merely intellectual in character, a belief which does not govern action. But with Gandhiji a belief which cannot issue in a right action is worse than useless. It is this courage to act which makes him one of the very greatest Karma-Yogins of history and by far the greatest service that he has rendered to India is that he has battled with fear and conquered it in himself and taught others to conquer it. This has not been a mean achievement in a country where the people have been paralysed through fear; fear of the police, fear of the military, fear of public opinion, fear of social ostracism, fear of ghosts, fear of shadows. Our politics, our social reform have all been vitiated by fear. Till but recently all reform was a matter of talk. Our Vedantins will flood you with quotations to show how catholic Hinduism is, but woe to the man who dared to take this seriously and ever acted upon them. Quotations are for show, not for action. In fact, I believe so much precious time has been wasted in proving that Hinduism is cosmopolitan, is catholic, that no time has been spared for the practice of it. Fear leads to repressions and without its conquest no man can find himself or rise to his full stature.

Fearlessness does not imply the courage of a bravo or a criminal. It is meant to be the manifestation of a severely disciplined soul, disciplined in the purest spirit of righteousness. It implies in Gandhiji's own words: "the non-violence of the strong, who would disdain to kill but would gladly die for the vindication of the truth." He has meant this, and lived up to it. The overflowing warmth of his loving heart and his cheerful smile have made him a living magnet, drawing the homage of willing hearts, and his scrupulous simplicity has disarmed all suspicion of the type to which leaders of men are peculiarly subject. Pervading him and enveloping him is an aroma of religiousness, an unarguing, and an arguable faith in God and his divine governance. The peace of God shines in his face and dwells in his heart.

Such is the man. But it is his thought we are primarily concerned with. We are not bidden by him to accept all he says. We are not required to accept anything, till our reason has stamped its hall-mark on it. As he himself says: "Blind adoration in the age of action is perfectly valueless." His teaching as such is simple. There is nothing tortuous or esoteric. In dealing with it I shall concern myself only with the universal aspects of his teaching, for they alone can claim to be of permanent importance.

#### GANDHI THE TEACHER

In "Hind Swaraj" published as far back as 1908 Gandhiji wrote: "Religion is dear to me and my first complaint is that India is becoming irreligious. Here I am not thinking of the Hindu and Mahomedan or the Zoroastrian religion, but of that religion which underlies all religions." The core of his religion is an intuitive faith in God, and for this very reason it does not admit of proof or demonstration. But he never tires to emphasise the righteousness of God.

In the sphere of religion Gandhiji cannot be regarded as an original genius, but his sincere search after religious truth, wherever is found, is an inspiring example. He is keen to be known as a Sanatani Hindu but on his own terms. Too great

to accept any dogma second-hand, too sincere to have any uneasy compromises with others, his Sanatani Hinduism is much deeper and nobler than the general run of it and involves four main points, acceptance of the Hindu Scriptures, though he claims to have made a study of Gita alone. He believes in the Varnashrama Dharma "in a sense strictly Vedic, not in its present popular and crude sense." He believes in the protection of cow in a much larger sense than the popular." Lastly he says he does "not believe in idol worship."

It is not difficult to see that Gandhiji's Sanatanism is of a very diluted type, or else he could not have become the champion of the oppressed and the depressed, still less could he have made good his spiritual and ethical kinship with Buddha and Christ. His reverence for the cow is only a symbol of his reverence for all life: "The cow means to me the whole sub-human world. Man through the cow is enjoined to realize his identity with all that lives.....The cow is a poem of pity." Through the cow he comprehends the profound Upanishadic unity of life. His attitude to idol-worship is cautious, but not at all unreasonable. He does not disbelieve in it, and who would care to, provided the worshipper always realizes the symbolism behind the idol? But it is not difficult to see that his native tendency is away from ritualism, even like the Buddha and Christ. When he differs so fundamentally from the current beliefs of Hinduism, his Hinduism may invite the appellation of being shadowy, but it is a misuse of language to dub his religion agnostic theism, as is sought to be done by Dr. Macnicol. Their is only one way of correctly designating his religion and that is to call it Ethical Theism.

#### HIS ETHICAL SYSTEM

His ethical system rests on the twin principles of truth and sacredness of all life. Love of man as man is inborn in him. In an interesting passage in his *Atmakatha* he says: "In all my experiences I have known no distinction between relations and stranger, my countrymen and foreigners, between white and black, or between Hindus and Mussalmans, Christians, Parsees and Jews. I can boldly say that my heart has never been able to recognize such differences. I do not claim this as a merit in me, for I do not remember ever to have made any attempt to develop this sense of equality, as I have endeavoured and I am still endeavouring to develop 'ahimsa' and 'brahmacharya'." He sees God in man, and that is why he has developed a most novel difference between evil and evil-doer, which made him say with reference to General Dyer: "I hate the thing he has done, but if he were ill I would go to him and nurse him and if it were possible heal him."

#### THE CREED OF AHIMSA AND SATYAGRAHA

Here in a nut-shell we have a practical exemplification of his 'ahimsa'. His creed is to hate the evil, wherever found, not the evil-doer, for the evil-doer does not cease to be human, and the divine lives in every creature. 'Ahimsa' is as old as Buddhism and Jainism, but Gandhiji's genius has made him work it in defence of what he sincerely believes to be truth on a scale unparalleled in the history of humanity. To a world which has grown war-weary this new instrument of Gandhiji has come with great force, but it would be futile to deny that like most human instruments, if it can be used to advantage, it can also be worked to abuse. It has been hailed with delight as a substitute for all the brutalities of warfare, but as between two hostile nations it is questionable whether the fundamental condition of a successful Satyagraha will be ever fulfilled: the condition namely of a basic love, which aims at conquering the enemy through love. If both sides are prepared for this there is no room for a war, violent or non-violent. If one side is 'satyagrahi', it will be at a palpable disadvantage, for the organized military strength of the other party will have worked havoc with effect long before it could come face to face with its enemy prepared to suffer through love or a sense of righteousness. On the other hand, it could conceivably work with success even in international affairs under either of the two conditions, in which there is nothing inherently impossible. Suppose the government of a country X prepares for a war against its neighbour Y. If the people of X are convinced that their government is in the wrong and the war would be palpably unjust, they can force the hands of their government to give up their warlike intentions.

Another condition under which satyagraha can work with effect in internationalism, is connected with the work of the League of Nations. In itself the League is a great advantage in internationalism, but it has suffered from the palpable defect that it is weak where each one of its members is strong, viz., that as a League

it is unarmed and as such unable to exert its authority especially against a strong recalcitrant State whether a member of the League or not. To arm the League is fraught with this danger that any little war may become a world war with all its attendant horrors. It is perhaps here that Gandhiji's principle of Satyagraha will find a noble field of activity, for it is open to the League to refuse co-operation to any State that is callously bent on war. Each member of the League will have to cut off its trade with the sense of an outraged humanity. This state of affairs will dawn the sooner when the moral links that bind the nations to one another come to have a greater value in the eyes of men than the desire to be rich through trade anyhow, and in this task Gandhiji's personality and philosophy may in the days to come play their rightful part.

#### GANDHIJI AND TOLSTOY

He is fundamentally a religious ascetic, forced into the whirlpools of politics by the Zeitgeist. Religion in its essence is personal, and a truly religious person feels that his own existence is a matter between himself and God, and other individuals have nothing to do with it. Add to this the determined feeling of a religious person that for him God is self-sufficient and therefore he inevitably feels independent of any man or a body of men, governments included. As far back as 1915, when Gandhiji was a loyal citizen of the British Empire, he said : " . . . I am no lover of any Government and I have more than once said that that Government is best which governs least. And I have found that it is possible for me to be governed least under the British Empire. Hence my loyalty to the British Empire." This was the attitude of Tolstoy, of course without any reference to the British Government. In technical language neither of these great souls can escape being classified as philosophical anarchists. Both of them are devotees of God, Who is Love; both of them are weary of the complexities of modern civilisation and would willingly go back to the pristine simplicity of manual labour; both of them would work directly on the heart of each man so as to make him see the God within; conscious of their inner power both of them scorn governments. It is an accident of history that one was born in Russia and the other in India; wherever they had been born they would have come to grips with the powers that be, for they make men look inward and not to external authorities for the creation of a better world. Tolstoy escaped acute suffering because he wrote and preached, but remained an aristocrat, while Gandhiji with the inheritance of the Karmic teaching of the Gita strode out as a warrior, albeit a non-violent one, and has not found the prison bars any restraint on his inner freedom or on his consciousness of the God within him.

#### POLITICS AND RELIGION.

The late Mr. Tilak said : "Politics is not for *"Sadhus."* Gandhiji is on a far higher level when he says : "He who says that religion has nothing to do with politics does not know religion." We may differ radically from him in his view of the State, but if the State is to exist and to fulfil its end as a moralising agency, the world will have to pay heed to the example and the inspiration afforded by his career. He will not have lived in vain, if the rulers of the world realise that the world has lost through their crooked aims and secret diplomacy, and that the world

its highest is the law of Love. If India can help in winning that last stronghold, she will have fulfilled her mission in its pristine purity.

#### GANDHIJI'S VIEW OF MODERN CIVILISATION.

I shall now come to that part of Gandhiji's teaching with which I disagree most and that relates to his view of modern civilisation, which means of course Western or industrial civilisation. In 1908 he wrote *Hind Swaraj* or *Indian Home Rule*, which is a sustained attack on civilisation as such. It was evidently written at a time when his gentle and sensitive soul was literally writhing under the studied insults of an unchristian and wilful bureaucracy in South Africa, and it is intelligible, if not quite justifiable, that in resenting these insults he should have gone to what he considered to be the root of the matter, viz., the Western civilization as such. A book written in bitterness is likely to suffer from defects and I should have preferred to ignore it, but unfortunately in *The Young India* of January 1921 he blesses it once again with

the imprimatur of his approval and on the 14th August 1924 he affirms that the Indian Home Rule "depicts an ideal State." So it is impossible to overlook it, however much I dislike it and I dislike it because there Gandhiji takes up the position not of a world teacher but of a narrow nationalist, which would take India back some thousands of years. It would be fair to add that in the pages of *The Young India* he has had to make admissions, which go a great way to soften the extreme rigour of his earlier book but he always leaves the impression behind that he would much rather not make these softening admissions. In fact, it is only in this part of his teaching that I miss the firm hand of the master, who knows his mind.

#### LAWYERS, DOCTORS AND TEACHERS

Lawyers and doctors and teachers come in for very hard knocks. In his ideal State where there will be individual self-rule and no government, presumably there will be nothing to own and nothing to lose, and so a lawyer would find his occupation gone. Most of us will agree that the world in general and India in particular can do with fewer lawyers, but in this work-a-day world with our imperfect human nature they have played a part which they alone could have played and on the whole the world has gained by them. Surely, lawyers could not be entirely useless when Gandhiji himself was enabled to do God's good work in South Africa because he was a lawyer. One could wish that every lawyer would follow his example and Abraham Lincoln's and not take up a single dirty case. This would indeed be a welcome reform.

And poor doctors. We would gladly keep them at arms length if we could be guaranteed against all ills of the body. Gandhiji himself has written, *A Guide to Health*, an excellent book, excellent because he has not hesitated to learn from Western doctors like Dr. Kuhne and Dr. Just. The ideal State would first have to guarantee that no man falls ill, before it can afford to do away with all doctors.

And teachers. Here are some of his observations: "What do you propose to do by giving him (a peasant) a knowledge of letters? Will you add an inch to his happiness?.....Now let us take higher education. I have learned Geography, Astronomy, Algebra, Geometry etc. In what way have I benefited myself or those around me?"

His views on lawyers and doctors and teachers in his ideal State may be taken as harmless cogitations of a man who has risen above the need of needing any of them. Not so his views on machinery which affect the fundamentals of his teaching. Machinery for him "is the chief symbol of modern civilisation; it represents a great sin.....I cannot recall a single good point in connection with machinery." But since then he has yielded at several points to the logic of facts with reference to railways and cars and telegraphs and printing presses. Gandhiji is less than just to himself when he says that the attempt to spiritualise machinery seems an impossible task. If this were true, verily is humanity in great danger for it is impossible to do away with machinery and revert to a by-gone age, and yet to feel enslaved to it would be a great calamity.

#### GANDHIJI AS SPIRITUAL TEACHER

Gandhiji's moral fervour and austerity evoke our deepest homage but true morality must flourish not in the artificial atmosphere of studied simplicity but in the busiest haunts of men. Genuine simplicity belongs to the heart, not to our mere physical environment. He has forgotten the long aeons that the spirit of man has taken to rise above its animal origin and create bit by bit that mighty fabric which we call civilisation. Philosophy and ethics did not take their birth in the caves of the coven or in the huts of savages. They awake when man had conquered nature sufficiently to give him leisure to look around him and think. Buddha and Christ and Gandhiji could have been happy, if each had left humanity alone. But their nature would not let them. Happiness or no happiness their place is in the heart of humanity sharing their joys, lightening their burdens. I feel that this Congress cannot hope to achieve anything substantial unless and until we give up the fear to think, and no Indian of our generation has made himself responsible for such unconventional views or pursued them with so high a sense of honour as Mahatma Gandhi. To agree and to appreciate and to disagree and criticise are our privileges and I have exercised them both. He is the only teacher in India to-day who can claim to have been looked up to by the world and we in this Congress have something very vital to learn from him. His fearlessness and freedom from the



tyranny of texts are a genuine inspiration. His emphasis on the moral as the ultimate principle in life holds out a great promise of a religious revival free from ritualism which tends to veil the soul of God more than reveal it. This is all for the good, and he has deservedly been hailed as an Olympian of Olympians who make history.

We want a new social philosophy to meet new conditions, a new message of hope and it is here that this Congress may aspire to pay its role.

### Sectional Meetings

Sectional meetings of the Congress were held under the presidency of Prof. Sully of Agra, Dr. Hakim of the Osmania University, Mr. Hyder Ali and Dr. M. N. Sirkar of Calcutta and Dr. G. Bose of the University College of Science, Calcutta. All meetings were well attended.

The section of psychology drew the largest audience. An interesting discussion was initiated by Dr. N. N. Sen Gupta of the Lucknow University on the psychology of loneliness. Mr. Bahadur Mal of Lahore followed with his paper on instinct and civilisation and Dr. J. C. Sirkar of Muzaffarpur discussed the problem of the unconscious.

The papers on metaphysics were concerned with the question of self principle. The speakers were Messrs. Malkani, Naik and Banerjee of the Institute of Philosophy, Amalner, and Dr. S. K. Das of Calcutta. Most of the papers, specially that of Mr. Malkani, aroused keen interest.

The principal speakers in the section of India philosophy were Mr. A. C. Mukerjee of Allahabad, Mr. Sastri of Barisal, Mr. Banerjee of Mymensing and Mr. S. Mukerjee of the Calcutta University. The papers read in this section were mainly concerned with Sankara Vedanta and its relation to western thought.

In the forenoon there was a symposium on the psychological basis of personal identity in which many delegates took part. Mr. G. D. Chatterjee of Lahore, Mr. Hari Das Bhattacharjee of the Dacca University, Messrs. Sen-Gupta and Kali Prasad of Lucknow, Dr. Hakim of the Osmania University, Mr. Bahadur Mal of Lahore, Mr. Sastri and Mr. Srinivas Achary of the Madras University took part.

The Indian Philosophical Congress resumed its sitting on the next day the 21st. *DECEMBER* Mr. Wadia, President, Professor Sully, Abdul Hakim, G. Bose, and Dr. Sirkar delivered addresses in their respective sections in the afternoon. The different sections continued their deliberations. Dr. R. Das of Amalner, Mr. D. G. Londle of Poona read papers which aroused a keen discussion in the metaphysics section. Mr. Sastri of Madras and Dr. Sen of the Annamalai University delivered interesting addresses in the section of Indian Philosophy. Mr. Kali Prasad of Lucknow read a paper which was the centre of animated controversy in the section of psychology. Mr. Sathe of Poona, Mr. Bahadur Mal of Lahore and Mr. Srinivas Achary of Madras read their papers in the section of ethics.

## The Associated Chambers of Commerce

His Excellency the Viceroy opened the twelfth annual general meeting of the Associated Chambers of Commerce, in the rooms of the Bengal Chamber of Commerce in Calcutta on the 15th. *December* 1930. His Excellency the Governor of Bengal was among those present. Mr. R. B. Laird, who presided, after extending a warm welcome to His Excellency the Viceroy, referring to the economic situation, said :—

"It would be idle to shut our eyes to the facts of the past months with their sordid record of boycott and picketing. We recognise that the Congress Party must shoulder the responsibility for all the misery that has been caused by the campaign futilely masquerading under the name of non-violence, and we recognise that they are not representative of the heart of India. But they shall not blame us if, with the picture of those months before us, we welcome the frankness with which the Government of India, while admitting the difficulty of devising effective guarantees, recognises, none the less, that these are necessary, and that the difficulty must be

faced and overcome. With the trading conditions such as they had been throughout the world, it was not possible that India could escape, but, had there been no political trouble, her loss would have been lighter. As it is, we must all naturally feel some apprehension as to the near future, for the clouds do not as yet show much sign of lifting. But, it is our privilege to go on hoping, and to do whatever may be in our power to bring about the return to prosperity which cannot be delayed for ever. The sooner extremist opinion in the country recognise that the programme of civil disobedience inevitably stands in the way of return to the complete confidence which is the basis of commerce and therefore the well-being of the people, the sooner is India likely to benefit from the return to normal world trading conditions. (Applause).

#### VICEROY'S SPEECH

His Excellency the Viceroy replying spoke as follows:—

I need hardly say what very pleasure it gave me to receive the invitation of the Associated Chambers of Commerce to take part in their opening to-day. It is the third, though I fear the last occasion on which I have the privilege of addressing your body and it will always, in the years to come, be one of my pleasantest recollections of Calcutta that I have been able here to meet and to make friends with so many members of the great European commercial community.

I must thank you at the outset, Mr. President, for the very kind way in which you have bidden me welcome this morning, and I know that His Excellency Sir Stanley Jackson, whose name you have coupled with mine, will join me in this expression of gratitude. I often feel that a Viceroy owes a Governor of Bengal an apology at this time of the year for robbing him of opportunities such as to-day's of speaking to audiences who wish to hear him on subjects in which the present Governor is so much at home. But I think it possible that Sir Stanley himself, if we could prove his inner feelings, would confess that he is sometimes quite glad to sit in the pavilion and watch some less skilled hand going out to bat.

You have just mentioned, President, the close concern with which the commercial community follows the development of the political situation in India and you have given expression to views which have recently been adopted by certain organisations in the country. I shall have further opportunities while I am in Calcutta, of speaking on some of these subjects and I will say no more this morning than to acknowledge with much appreciation the references you have made to the Government of India's despatch upon constitutional reforms and the desire you have expressed to assist in a spirit of goodwill the solution of the difficult problems which to-day face the country.

#### TRADE DEPRESSION

When I turn to the matters with which your chambers are more intimately concerned, my first reflection is that in these days when Government have grown accustomed to a larger share of kicks than half-pence, it is more than refreshing to listen to Mr. Laird's spontaneous appreciation of the help which in one or two ways my Government have recently been able to give to the commercial community. I can assure you that the members of my council who have come to attend your present session will do all they possibly can to assist you in the matters which are to be dealt with in the resolutions on your paper. But the subject which at the present moment overshadows all others, is the general depression which has affected almost every branch of commerce and industry in nearly every country of the world. An unkind friend has reminded me that when I addressed your meeting two years ago I ventured on the statement that the general position gave good ground for sober optimism. Well, I am afraid, there is not very much comfort to be drawn now from the recollection of that prophecy unless it is perhaps that it shows the wisdom of sobriety in optimism as well as in other activities of life. For a year or so after that meeting of 1928, it is true the position showed no great change for the worse, but the Wall Street collapse of October 1929 proved to be the beginning of a period of acute and world-wide depression. India has suffered with the rest and the returns of sea-borne trade for British India for the first six months of the present financial year show a fall of no less than 28 percent in the value of imports and 21 per cent in exports compared with the corresponding period of the previous year. I could quote similar figures for many other countries of the world but raws of statistics are apt to be a soporific even to the most intelligent and best-mannered audience, and it is enough to say that the trade returns of the

United States of America, Japan, Italy and Canada show that those countries have suffered even more severely than India. One symptom of these depressed conditions has been a world-wide fall in the prices of wholesale commodities and, as was inevitable, India has felt the full brunt of this collapse which is most pronounced in the case of her chief exports, agricultural products and raw materials.

It is, I suppose, of the usual order of things in a depression of this kind, that the prices of raw products fall more sharply than that of manufactured goods. In a year of good harvests, there is no possibility of limiting production, for once the seed is in the ground the matter passes beyond the farmer's control, whereas industrial establishments can be slowed down and the supply thus partially at least adjusted to demand. The consequent slump in agricultural prices tends to fall first upon agricultural labour which is unorganised, and unlike industrial labour is in no position to resist wage reduction in the natural sequence. The troubles of industrial countries come probably at a later date when the purchasing power of the agricultural countries is reduced, and the demand for manufactured goods begins to wane. Sooner or later, a number of industries must either cease work or reduce their hours, and numbers of unemployed mount. Thus, the extent and the widespread nature of the present dislocation of trade is reflected in the very high figures of unemployment in different countries, over 2 millions in the United Kingdom, 3 millions in Germany and probably at least as many in the United States of America.

In a calamity of this magnitude, there must always be a good deal of speculation as to the causes which have led to it. In some cases, such as the fall in the price of sugar and rubber, there can be no question that there has been over-production in the full sense of the word, that the world cannot use all the rubber which is being produced without a large increase in the number of motor cars on the roads or the substitution of cheap rubber for some of the materials of which many of the common requirements of life are to-day supplied and that the world could not eat all the sugar that is being produced without grave danger of indigestion or whatever illa physicians may attribute to an excess of glucose. In the case of cotton, on the other hand, under-consumption seem to be quite as much to blame as over-production. China and India are the two great markets for cotton goods, and for years past, the Chinaman seems to have been economising more in clothes than in civil wars and has been buying much less than his normal requirements. This year too, India's purchasing power has been limited not only by the fall in the price of her prime agricultural commodities but also by the disturbed political conditions.

#### FALL IN WHEAT PRICES

In the case of wheat, it is perhaps most difficult of all to diagnose with confidence the causes of the situation. It is curious that the fall in price immediately succeeded poor harvests in three of the principal wheat exporting countries, Canada, Australia and the Argentine, and it is not so obvious therefore to attribute the slump in prices to over-production. What would appear actually to have happened is that, for three or four years earlier, the production of wheat had tended to be in excess of the demand—but the full effect was obscured by the action taken in various countries to hold the surplus off the market and particularly by the wheat pools in the acreage under wheat; and in 1929, the constitution of the Federal Farm Board in the United States of America made matters worse by removing further wheat supplies from the market. The final result is that there is now in existence a large quantity of surplus wheat, some of which was originally held up by the Farm Board and the wheat pools in the hope of securing better prices and some of which the producers, as for example in the Punjab, are compelled to hold, because no one will buy it.

#### THE CIVIL DISOBEDIENCE MOVEMENT

I have said enough, I think, to make the point clear that the hard times we have been having in India are, in their origin, due to world-wide causes; but in saying that, I by no means absolve the present Civil Disobedience movement from its own heavy share of responsibility. It has immeasurably aggravated the situation both by the boycott directed against the trade in foreign and particularly British goods, and indirectly by creating an atmosphere of uncertainty and unrest. The direct methods employed in Bombay have, as you know, resulted in the closing of several mills and the unemployment of a large number of mill-hands. The boycott

on the sale of foreign cloth in Bombay and other parts of the country has not only caused serious losses to merchants owing to their capital being locked up in unsaleable commodities, but in doing so has prevented them from replacing their stocks of foreign cloth by indigenous articles. Handloom weavers are in distress for lack of the fine foreign yarns necessary to the production of some of their materials, and the Indian cotton-grower has suffered because this political unrest, by reducing the consumption both of Indian and foreign cotton cloth has caused a further decline of the Indian raw material.

You can well realise, Gentlemen, that during the last few months this economic crisis has been the subject of anxious consideration both by the Government of India and by Provincial Governments. The general conclusion we have reached is, I think, that in view of the complex character of the world-conditions whatever share of responsibility may be attributed to the collective unwisdom of all the Governments in the world put together, there was very little that any one Government could do to avert the crisis or to alleviate its consequences. It may indeed well be held that action by the Governments in other countries has sometimes had the effect of postponing a crisis, only at the expense of aggravating its severity when it could no longer be averted. In some countries, as we have seen, agriculturists have been assisted by the Government or by commercial associations to keep supplies temporarily off the market until prices had improved, and proposals on these lines have been repeatedly pressed upon the Government of India in recent months and particularly in the case of jute and cotton. We examined these proposals with all possible care and with every desire to help, but in the end, our conclusion was that whilst schemes of this nature may be of value to counter-act minor fluctuations, they are not only powerless against large movements of world-prices, but may actually be mischievous in so far as they retard the operations of those corrective economic forces which alone can have a permanent effect on prices. Sir George Schuster, in a speech at the Financial Secretaries' Conference last August, dealt exhaustively with the experience of other countries in which such schemes have been tried, and I need not go at length into the arguments on either side, but the practical results in the United States, in Egypt, in Canada and Brazil are visible for all to see. None of their schemes has been able to prevent the recent catastrophic fall in commodity prices and my Government are convinced that any similar attempt in India would be equally barren of results and would probably only result in placing a heavy financial burden on the public purse, a burden which does not rest upon the air, but which must inevitably fall on the taxpayer, the very person whom it desired to benefit.

#### QUESTION OF REDUCING RAILWAY FREIGHTS

Another measure which has been strongly urged upon the Government and on which I see a resolution is to be moved at your forthcoming meeting, is the reduction of railway freights with a view to alleviating the plight of the cultivator. We fully realise the importance of the proposal and the necessity of assuring the agriculturist that he should naturally look with favour on any scheme designed to help him and we have in fact had under consideration specific proposals of this kind with regard to wheat and cotton. I should however be unwilling to anticipate the discussion which will take place on the resolution in the paper, and I would limit my observations to two or three salient points.

A reduction in railway rates would certainly not be open to the serious objections which seem conclusive against any scheme for maintaining or raising prices by withholding crops from the market. On the contrary, in so far as the reduction promoted the export of Indian products and thereby reduced the stocks on hand, the effect must be beneficial. On the other hand, due weight must be given to the difficulties which those responsible for the commercial admission of the railways feel in making wholesale reductions of rates at a time when railway revenue has fallen off seriously and a deficit of Rs. 7 or 8 crores in the Railway Budget is anticipated. Each proposed reduction has to be considered on its own merits, and in each case the prospective gain to the cultivator must be weighed against the loss involved to the railway revenues, that is, ultimately to the Indian taxpayer who is the principle proprietor of the railways. It must be remembered also that the rates on agricultural products generally and especially on grain and pulses, are already so low that there is not the same room for reduction for them as there may be in some other countries. At the same time the Government has not approached the problem in any narrow spirit. The question whether reduction in rates will

lead to an increase in traffic is one which must always be considered, but in addition, the Government will constantly keep in view that the cultivator is the client of the railways, not only in respect of what he sells, but also of what he buys, and that any addition to his purchasing-power which may accrue as the result of reductions in freight will, to some extent, benefit the railways owing to the increase in the inward traffic.

The communicate which we issued, a week or two ago, gave at some length our views on the proposal that freights on cotton might be reduced and the Railway Board is now engaged on this specific question. The concession already granted on wheat freights to Karachi will, we hope, assist the cultivator to a considerable degree, especially in Northern India. The proposal has also been made that a similar reduction should be allowed in freights to Calcutta and, though this question presents much greater difficulty, I am hopeful that it may be possible also to take early action on these lines. Any counsel on these or any kindred subjects which you may wish to offer to my Member for Commerce Sir George Rainy, or to receive from him in return, will I am sure, be warmly welcomed on both sides.

#### AGRICULTURAL RESEARCH COUNCIL

When I opened your proceedings two years ago, I expressed the hope that an Agricultural Research Council on the lines recommended by the Royal Commission would be established in the near future. That hope has, as you know, been at work for over a year. Among other activities it has taken seriously the important question of improving the Indian sugar industry, and has made grants for a systematic study of all its branches, besides initiating the proposal which has resulted in the Tariff Board's enquiry into the case for the fiscal protection of the sugar trade. Another of the many schemes which the Research Council has set on foot, is the large co-ordinated scheme of research on rice designed both to improve the quality of Indian rice, and increase the efficiency of production of this most important of all India's food crops. The Council, too, has given agriculture substantial assistance in one unexpected quarter by helping the people of Northern and Western India to fight the plagues of locusts which have recently caused such damage; and they are, I think, entitled to full credit for the protective schemes they have worked out to cope with these air saids from the north-west.

#### JUTE COMMITTEE

Another matter to which I referred two years ago was the formation of a Jute Committee. Our proposals for setting on foot and providing funds for this Committee have received a wide measure of acceptance, but it would seem that there has been some misunderstanding as to its scope. It is clear from their report that what the Royal Commission intended was that the Committee should do for the jute industry exactly what the Indian Central Cotton Committee has done during the last 10 years. In addition to being concerned with the agricultural and technological research for the improvement of the jute industry, the provision of superior strains of seed, the improvement of statistics, the dissemination of information and economic studies into the marketing of jute, with special reference to the improvement of primary marketing by the grower, the Committee will form a meeting-ground for all sections of the jute trade and industry where problems of common interest can be discussed and solutions sought. The Royal Commission did not intend, nor do my Government propose that it should usurp any of the functions which properly belong to a trade association or that it should be given any regulating powers. Where the interest of the cultivator can be shown to call for a change in trade practice it would be for the Central Jute Committee to convince the trade associations concerned of the desirability and feasibility of the change, and if the experience of the Indian Central Cotton Committee is any guide, I believe that the trade will be by no means deaf to an appeal from such an authoritative source. My Government hope to take early steps to bring into being the necessary machinery to give effect to their decision.

#### OPENING OF INDIA HOUSE

My speech on this occasion would be incomplete without a reference to the gracious action of His Majesty the King Emperor in opening the India House in London last July. I feel confident that the India House will worthily represent India in the capital of the Empire and will prove a real centre in London for all Indian purposes. It is already attracting business visitors in large numbers, and it

cannot fail greatly to assist the work of the Trade Department under the immediate control of the Indian Trade Commissioner in London. It also provides exceptional opportunities for publicity in the Exhibition Hall, in which are displayed to great advantage some of the arts and crafts of India. I also hope that in the near future it will be possible to organise in the India House a fully equipped commercial samples room to be used for the exhibition of all classes of Indian goods.

It has been, I know, a matter of great personal satisfaction to Sir Atul Chatterjee that the new India House should have been completed during his term of office as High Commissioner. When Sir Atul hands over charge next year to an old colleague of my own and to an old friend of this Chamber, Sir. B. N. Mitra, he will have held the post with distinction for 6 years and I should like to take this opportunity of acknowledging publicly his great services as High Commissioner and not least the part he has played on our behalf in the manifold international activities of Geneva.

Before I leave this subject I should like to call attention to the progress achieved in recent years by the Indian Trade Commissioner and his staff in the sphere of publicity and to acknowledge the generous co-operation and assistance given by the Empire Marketing Board in propaganda work directed to increase the consumption of Indian goods in the United Kingdom. I am thinking in particular of the support given by the Board to the Indian rice campaign, instituted in the United Kingdom in the autumn of 1929, the object of which was to assist Indian and Burma rice in meeting the competition experienced in recent years from rice grown in Italy, Spain and other countries.

#### TRUE BASIS OF COMMERCIAL PROSPERITY

I leave you now, Gentlemen, to the serious purpose of your meeting. I feel indeed that I have been playing the part of the orchestra that precedes a play at the theatre when the principal anxiety of the audience is that the curtain may be rung up as speedily as possible on the real business of the evening. They are however too polite to say so but, before I sit down, may I as your very warm well-wisher and friend say just one thing more? The foundation and strength of British commerce is in British character in the trustworthiness that inspires confidence in others and in the courage which meets obstacles with the assured determination to overcome them. Of your ability to come triumphantly through the present crisis I entertain no doubt. You have had your share of rich years and no doubt like good businessmen are prepared to meet the lean. But looking further into the future, I feel confident that those same qualities which have given Britain the position she holds in commerce at home, in the Dominions and the colonies and in foreign countries have still their indispensable part to play in the future of India's commercial life and in taking leave of you on the last occasion, when I shall be in your midst, I am not afraid to predict a long and happy continuance of those commercial relations between this country and our own which have brought wealth and prosperity to both and so great a measure of happiness to countless numbers of both peoples.

#### Resolutions Passed

The meeting then adopted resolutions urging the necessity of substantial reduction in the railway freight rates on all agricultural products, suggesting the inauguration at an early date of an air mail service from Karachi via Bombay to Southern India and Ceylon to connect with the London India air mail service, recommending that a detachment of military police should be permanently stationed with headquarters at Chittagong in view specially of the recent armoury outrage and urging immediate consideration of adequate police arrangements in the jute-growing districts of Bengal, at the same time stressing the necessity of early action to safeguard the interests of both British and Indians engaged in the jute trade in the mofussil.

The Bengal, Bombay, Burma, Calicut, Chittagong, Cochin, Karachi, Madras, Narayanjanj, Punjab, Tuticorin and Upper India Chambers of Commerce were represented at the meeting.

# The All-Asia Education Conference

The first session of the All-Asia Education Conference opened at Benares on the 26th December 1930 in a spacious *shamiana* in the Central Hindu School compound amidst gorgeous and resplendent scenes reminiscent of oriental pomp and dignity. There was a huge gathering of nearly 15,000 people present including hundreds of ladies. Several people had to remain standing for want of accommodation. Photos of Mahatma Gandhi, Pandit Malaviya and other eminent national leaders and educationists were hung up at prominent places and loud speakers were also installed for the purpose of making speeches audible in the distant corners of the *shamiana* which was artistically decorated.

The proceedings commenced with prayers after the arrival of H.H. the Maharaja of Benares, patron of the conference, at 3 p. m. Hindi and Sanskrit verses composed for the occasion were sung by girls of the Central Hindu Girls' School.

The delegates arrived from every nook and corner of India, more than 300 coming from the presidency of Madras alone. Another notable feature of the conference was the presence of delegates from China, Japan, Ceylon and the Phillippine islands. Being the first conference of its kind, no effort had been spared by the conveners to make it a grand success. His Highness the Maharaja of Benares graciously opened the conference and his inaugural address was read by his private secretary, Rai Bahadur Lalit Mohan Sen Roy. After installing Prof. S. Radhakrishnan, president-elect, in the chair, the Maharaja left.

In the course of his opening speech his Highness the *Maharaja of Benares* said :  
Your deliberations will, I hope, lead to the discovery of ways and means of bringing about an oriental renaissance. This congregation of the intelligentsia of the East assembled to strengthen the tie of federation cannot fail to chalk out a universal plan for all-side uplift of oriental civilization through education. It is my firm conviction that the irresistible inundation of emotion indicative of fast awakening of a new life passing over all limbs of Asia cannot but produce the richest harvest if led through sufficiently broad channels of national and international welfare and goodwill. That education which fosters a spirit of equality, friendship, love, sympathy, unity and removes arrogance, envy, suspicion and distrust is a unique foundation of oriental civilization. Social efficiency is the final aim of education in the West, but it is not a sufficiently high ideal. The ideal of society or of nationality is nothing compared with the conception of humanity."

Welcome speeches were delivered by Prof. Dhruva of the Benares University on behalf of the Vice-Chancellor Pandit Madan Mohan Malaviya, the hon. Raja Sir Moti Chand, Raja Bahadur Kushalpal Singh, Minister of Education, and Principal Seshadri, president of the All-India Federation of Teachers' Associations.

Raja Motichand in welcoming the delegates to the Conference remarked that cynics said that India was a land of castes and creeds, that Asia had no problem of its own and that there did not exist any unity of purpose in this vast continent. This Conference was a challenge to them. It had brought together people from Japan, Philippines, Ceylon, Burma and China.

The Education Minister of the United Provinces in addressing the Conference dwelt on the educational progress made in these provinces under Governmental care and on the aims of education that Government had endeavoured to work out.

## PROF. RADHAKRISHNAN'S ADDRESS

Dr. S. Radhakrishnan in his presidential address which he delivered *extempore* on account of the shortness of notice thanked the organisers of the conference for the great honour they had done him in asking him to preside over the deliberations of the conference. If one more distinguished and more befitting the occasion was not installed in the chair, it was not due to lack of perception of this momentous gathering. It was because many of our distinguished citizens including the educationists were preoccupied with politics at the present time.

As this conference was meeting under the World Federation of Teachers they might take it that it was not the motive of any narrow nationalism to the exclusion of a wider horizon if they drew together all Asiatic States in bonds of friendship. It was only an instrument for furthering world cooperation. (Hear, hear.) 'Asia

and Europe', he said, 'if they are divided they are not divided very fundamentally. Many people called Europe as a peninsula of Asia. Again if you look at races themselves you all know that the races which inhabit Europe are not fundamentally distinct from those which belong to Asia. Europe racially is a colony of Asia. (Loud cheers.) But rightly or wrongly there has been an independent existence of these two great continents.' Certain characteristics had been developed in Asia, certain other characteristics in Europe. If they were going to divide, it was only in order to distinguish. They were not distinguishing in order to divide. The world had become a much too smaller thing for anything except friendship to prevail. (Hear, hear.)

Prof. Radhakrishnan believed that they were likely to work up a great synthesis of the great cultures of the East and the scientific accomplishments of the West. They were about to turn a new chapter in the history of human race. It really depended upon what the educators were going to do. They must determine whether they were going to make the two continents of Asia and Europe face each other as combatants or comrades. If it was the former the world might have to undergo worse sufferings than they had the other day which would be nothing in comparison with that eternal chaos which would be in future. If they were not in a position to face the outstanding problems of this world socially, economically, and politically in a mood of beneficent cooperation, then the magnificence of that achievement was one for which all ought with great will and heart to work. We were on the eve of such a kind of world federation which would enable us to build up humanity, a more generous society, less barbarous and individuals less enslaved.

Continuing, he observed that education had been based on a fundamentally different motive. 'Here Great Britain has for its aim enabling its students to become efficient as citizens. In Germany it is pure learning of *systematic* thought, in France it is intellectual culture, in India the greatest emphasis has been laid on the supremacy of spiritual values.' 'So far as the true soul of the man is concerned', observed the president towards the end, 'there is no such thing as the East or the West.'

The Conference held several sectional meetings on the next day, the 27th. December, viz., secondary education section, oriental classics section, Sanskrit section and Persian and Arabic section. There was a public address by Dr. Annie Besant in the evening on 'The Ideals of Ancient Indian Education' followed by magic lantern lectures on 'A Nursery School in England' by Mr. K. S. Vakil, inspector of schools, Dharwar. 'My Visit to Schools in Persia', by Munshi Mahesh Prasad, Maulvi Fazil of the Benares Hindu University, and 'Man is out to Conquer' by Mr. Sashadhar Banerjee, rector, Chandranath School, Netrokona.

#### MR. MACKENZIE'S SPEECH

The All-India Educational Exhibition was opened by Mr. A. H. Mackenzie, D. P. I., United Provinces, at 11 a. m. Declaring the exhibition open, Mr. Mackenzie emphasised that education was a contact of mind with mind and of spirit with spirit and it was also a development of individuality. He pointed out that too often in their schools and colleges thought was a dead and inert thing served up in text-books and lecture-notes and active thought in some of their class-rooms was almost a crime. Whether pupils could think and judge for themselves, and whether they had an appreciation of beauty counted for too little in their schools and herein lay the value of the exhibition which he had the honour to open. The exhibition, Mr. Mackenzie hoped, would show them how active thought was being and could be expressed in their schools. They would find in the exhibition exhibits collected together from different parts of India from schools of different types. He trusted the exhibition would encourage them to introduce in schools more and more subjects which developed the skill of hand and eye and artistic ability. That Indians had artistic and creative powers was proved by the countless movements coming to light in archaeological excavations and these powers were shown by manuscripts of exquisite workmanship which were to be found in libraries in all parts of the country. Concluding, Mr. Mackenzie said even if the exhibition did nothing more than remind them that education was more than text-books and lecture-notes, that it was much more than show and talk, it would be of great value.

There were also appliances and methods of value to the teacher. All these tools were after all external aids which would be valueless unless teachers had the right attitude towards their work. This attitude was the love of children and understanding that came from that love. There is no substitute for devotion and unless we



teachers have a great faith in our work and a great heart for it these appliances and methods are but spectacles for the blind.'

#### WELCOME TO PT. MALAVIYA

The closing session of the Conference was held on the 30th. December in the afternoon with Mr. Weng, a Chinese delegate, in the chair in the absence of Dr. Radha Krishnan, President. General Liu Fen Hon who had worked along with Dr. Sun Yat Sen was present at the conference and he spoke on the necessity of establishing peace and harmony in the world. A number of delegates from the Indian states and provinces next spoke, expressing their appreciation of the work of the conference.

Pandit Madan Mohan Malaviya, chairman of the reception committee, was given a rousing ovation as he arrived at the *pandal* exactly at 4 p. m. escorted by a guard of honour consisting of Seva Samiti volunteers. There were prolonged cries of Pandit Malaviya ki jai.'

Prof. *Seshadri* extending a welcome to Pandit Malaviya on behalf of the All-Asia Education Conference said: 'I wish to convey the great gratification of this conference on being able to welcome Pandit Malaviya this evening. There is perhaps no name dearer to this great assembly than that of Pandit Malaviya. He has numerous claims on our affection and homage, from whatever aspect we look at his numerous activities, whether we think of him as a great Hindu leader who embodies in himself some of the finest principles of our ancient faith and who has been one of the most glorious exponents of Hinduism in recent years, or we may think of him again as an illustrious political leader who has presided over more than one session of the Indian National Congress and who has been a great centre of electrical energy for the political advancement of this continent.

But on behalf of this conference I am anxious to lay stress on one aspect of his great achievement—the creation of the Benares Hindu University of which we are all so proud. Dedicating a small book of mine some years ago I ventured to say that Pandit Malaviya was trying to recall the glories of ancient Benaras by creating the modern Benares Hindu University. On behalf of this conference I convey to him our great affection and homage on being able to see him on this occasion and I wish him long life and prosperity.'

Pandit *Malaviya* who was enthusiastically cheered as he rose to speak said: 'I am deeply grateful to you for the very kind and cordial welcome which you have given me. It has been a matter of sincere satisfaction to me that I am able to be in your midst before you have dissolved the session. I am sorry I am still so weak that my doctor would not permit me to come here without extorting a promise that I would not speak beyond a few minutes. I hope you will accept my assurance that I am deeply grateful to you for the very kind welcome you have given. I had hoped that I might be able to take part in your deliberations but it was willed otherwise. I am not sorry for it because we have to do our duty in whatever sphere of life or in whatever position we might be placed. I can only say this:

'The first All-Asia Conference is a matter of sincere satisfaction to all the people of Asia and in fact to the whole world. This All-Asia Educational Conference has thought of tackling the great problem of education, a problem which is at the root of progress, and I hope that we have benefitted a great deal by the interchange of thoughts which has been going on for the many days that you have been here. I hope this conference is a harbinger of future conferences of a like character. Though your gathering has been great and I am glad to find you have attracted very many distinguished and experienced educationists I hope that in future years we shall have the pleasure of witnessing even greater gatherings and be able to record even better work than we have been able to record this year. There is much that we have to learn from each other. Education is not the monopoly of any race or community. The problem of education is the problem of humanity. And how to shape humanity in future. How to change humanity's ideas into those of harmony, peace and good will, is the task that lies before every educator. What has been going on is the result of greed and jealousy and thought of dominating one people over another. All that has been responsible for the amount of misery which it is difficult to imagine but I hope that the time is fast approaching when all these matters of violence, ill-will, hatred, domination, and jealousy shall be matters of the past, (Hear. hear.) I hope in future every man who deserves that high name and who has been blessed by God by that digni-

fied position in the creation will endeavour to the best of his power to promote peace and goodwill among all men and among the whole world in order that all should enjoy to the fullest measure the great gifts which God has blessed mankind with. There is enough that God has given us and more than enough for the peoples of every land to be prosperous and happy in their own lands and contribute to the prosperity and happiness of their environments in other lands. That is the ideal of the future and I hope this conference will help us to organise our work in such a manner that all schools shall be teaching certain lessons in common to all children of mankind, that hatred and ill-will shall be banned, that jealousy shall find no place in the work of men in any country and we shall all be feeling gratified with the progress which is achieved by our brethren in other parts of the world. The time is fast going by when even nationalism will not satisfy the aspirations of mankind.

'Nationalism is good in so far as it aims at happiness of the nation with which we are concerned but internationalism, peace of mankind, progress of mankind is our essential aim and brotherhood of man which has been talked about a great deal, has to be brought about in reality in our relations with all mankind. That is the task that lies before us. Let us apply our minds and devote our energies to this great task in the confidence that God who has given us so many gifts and who has above all given us this great gift of intelligence and speech would help us to realise the very best that he has made us capable of. By promoting the prosperity and power of our own country we shall feel great satisfaction, but we should also feel equal solicitude in the prosperity, power and happiness of all countries, great or small. This is my humble prayer and I hope you will accept this expression of my wish for the good of all our fellowmen in the world. I thank you once more for your very kind and cordial welcome.' (Loud and prolonged applause).

The conference came to a close amidst enthusiastic scenes after passing ten resolutions which expressed gratefulness to the Indian States for deputing a large number of delegates, appreciated the support of provincial educational departments in deputing teachers and administrators to take part in the deliberations, congratulated Dr. Raman on winning the Nobel prize and recorded appreciation of the sympathy and comradeship displayed by foreign delegates.

Eloquent tributes were paid by numerous speakers to the untiring efforts and indefatigable energy exhibited by Pandit Ram Narain Misra, Pandit Shri Ram Bajpai and his gallant band of scouts in affording ample facilities to all delegates as well as visitors.

Mr. K. H. Wong of Pit Ching Academy, China, who presided at the secondary education meeting on the 28th. December said:

'It is a great honour and privilege for me to come and attend your great conference here and I specially appreciate your electing me as chairman of this secondary education section. We came here to the conference to exchange our ideas regarding our educational problems. We people of the Orient have particular problems that require special methods for their solution and I think this conference will help us to solve our problems by understanding our ideas. We people of the Orient are proud of our own civilisation. Your country has contributed no small share to what we call the oriental civilisation. The Chinese civilisation has been influenced by your philosophy, literature, arts and religion and the purpose of this conference is to bring out the best things in our civilisation for the good of mankind. The people of this world to-day need your high ideals of living in the materialism and I hope this conference would bring out the important features in our civilisation for the benefit of the world.

'Then again, we people in this big continent should have very close cooperation; we should understand each other so that this great idea of international good-will and friendship may prevail and it has been my great pleasure to see you and when I go back to my country I would tell all my people your enthusiasm in this great cause of education and I can assure you of the greeting of all my people for the success of this conference.'

Giving a short account of the system of secondary education that is prevalent in China he said: 'This system is constituted more or less on the American model. There are two sections—junior and senior middle schools. In the former, besides Chinese which is the most important subject, geography, science, religion, English, history and other subjects are taught. In the senior middle schools there are several departments dealing with different subjects such as education, business, fine arts, science and there are any number of departments according to the condition where the school is situated. For example, if the environment is an agricultural

one, then there would be a course on agriculture in the senior school. The students choose any subject they want. In addition there are special vocational schools that have the standing of senior middle schools. To-day there are about 1,000 middle schools in China. Last year a National Educational Conference was held at Nan-king where it was adopted to have at least one middle school in each district. There are at present 1,900 districts in China. It was resolved at that conference to reorganise the curriculum to conform to the national educational aim. The speaker then referred to Dr. Sun Yat Sen. His teachings are being inculcated in all Chinese schools, e. g., the national languages must be taught in the schools. China has many spoken languages and in order to unify the country they are teaching the Mandarin language in schools. Though much is heard about the difficulty of the Chinese characters in recent years it has been simplified. Phonetic script is being introduced to denote the pronunciation. Now students can acquire a knowledge of the Chinese language in a very short time."

The university education section held its meeting at the conference pandal under the presidentship of Justice Sir S. M. Sulaiman.

Principal Seshadri in asking Justice Sulaiman to take the chair said that he was a distinguished graduate of the Allahabad University and a judge of the Allahabad High Court and had taken the keenest interest in educational questions. During the recent troubles at the Aligarh University he played a prominent part in setting things right.

Prof. S. K. Yegnanarayana Iyer of the Pachaiyappa's College, Madras, initiated a discussion on co-operation among the universities of India. He pointed out that there was very little of co-operation among the universities in India. Our universities worked in an isolated manner. Though the number of universities could not be considered too many considering the vastness of the size of this country, yet taking the economic resources of our country into consideration we could not afford to maintain this costly duplication. He instanced the case of the Madras Presidency where 15 years ago there was only one university functioning. There were five at the present moment. Almost all these were examining bodies. No great prominence was being given to original research. He pleaded for the avoidance of duplication and suggested the pooling together of men and money in Indian universities.

The same lack of co-operation and co-ordination was found even among the constituent colleges of a university. The same tradition of petty rivalry among themselves to produce more passes was going on. Moreover, very few universities had good libraries or hostels. In the opinion of the speaker the Inter-University Board was a highly officialised body. He therefore proposed that there might be an organisation constituting the bulk of university teachers which would act as a clearing house and to act on a wider and a larger scale.

Dr. S. Shiva Ram, head of the department of political science, Lucknow University, and some time Carnegie Fellow in International Law, read a paper on 'Exchange of university professors.' He suggested that there should be exchange of professors between the East and the West in general just as there was between Germany and U. S. A., France and U. S. A., and England and U. S. A. This system would be for the betterment of international relations.

Prof. S. V. Puntambekar read a paper on 'university students and the present lecture system', and Mr. H. Ansari, Registrar, Osmania University, Hyderabad, gave a short account of the progress made by the university since its inception. (from 'Leader'.)

# The Government of India's Despatch on the Indian Statutory Commission

"The recommendations of the Indian Statutory Commission as to the provincial constitutions with which in general we agree, represent a generous response to the popular demand for provincial autonomy. Our proposals for the centre are in amplification of the plan put forward by the Commission and the essence of these proposals is that Parliamentary control should be of such a nature as to establish partnership in place of subordination".—This is how the Government of India in their despatch released for publication from New Delhi on the 13th November 1930 portray the general results of the constitutional scheme they have propounded.

The despatch which is unanimous reviews comprehensively the Simon Report and allied documents and offers a detailed criticism and recommendations which embrace the entire field covered by the statutory enquiry. The interest in the despatch is centred not merely round the proposals for the central executive but in the provincial sphere too.

The despatch after summarising the local Government's views puts forward interesting alternative suggestions on many subjects including finance, franchise communal and special representation and an enlarged scheme of frontier reforms. The arrangement of the subjects following the line adopted in the Simon Report and the despatch runs to 238 pages with 50 pages of appendices. The despatch is forwarded for the consideration of His Majesty's Government as a preliminary to the discussions which will shortly take place at the Round Table Conference and contains the Government of India's views on the further progress which might now be made towards the development of responsible government in India as an integral part of the British Empire.

## EMPHATIC BUT NOT DOGMATIC

The despatch throughout takes into calculation the impending discussions at the Round Table Conference and after presenting the *pros* and *cons* of some of the controversial issues with the Government's own tendencies on the subject leaves the question to be further explored by the Conference. The views expressed in the despatch are on the whole emphatic but not dogmatic.

The despatch first acknowledges that the report of the Indian Statutory Commission contains proposals of far-reaching significance and crucial importance affording the most convenient and indeed the inevitable method of approach. We have further studied the reports of the Provincial Committees and the Central Committee and have had the advantage of seeing many suggestions made by individual thinkers in India and the scheme prepared by the All-Parties Conference in 1929, commonly known as the Nehru Report which, though it has for various reasons ceased to occupy the forefront of political stage, nevertheless remains as the most authoritative and detailed exposition of the views of constitutional nationalists that has yet been put forward. We have also paid due regard to the opinions that have been expressed in India since the publication of the report of the Commission and the most recent developments of this opinion will no doubt be placed before His Majesty's Government by delegates at the Round Table Conference. Finally, we have received and transmitted by enclosure to this despatch the weighty views expressed by the local Governments.

## POLITICAL FORCES

The despatch begins with a brief survey of the political forces in India. It says the political classes consist largely of the professional classes and their thought is profoundly influenced and unified by the writings of the press. Again a common desire for changes in the form of government acts as an inducement to preserve a united front and to keep in the background such differences as exist. Caste and family attachments are of peculiar strength and the close intimacy of social relation promotes a common outlook. As for commercial classes, the feeling that improvement of trade and industry is to be sought through political channels, is a development of comparatively recent times. But the commercial community of Bombay

has been lending support, both moral and material, to the movement in defiance of law which might have been expected to have no attraction for those whose interests depend on stable and peaceful conditions.

The larger landlords still retain traditional authority while small landlords cannot be regarded as forming part of the unthinking masses and Gujarat affords a striking illustration of this. As for the agricultural masses it would be fair to say they have no informed conception of the political problems of India. Industrial labour is ignorant and uneducated. The chief means of appeal to the masses are those relating to the interests which are intense and vivid in the life of the masses. These are, first, religion; secondly land, and thirdly, the method of revolutionary communism, the appeal of the 'have-nots.'

One of the marked effects of the Montford Reforms was the lesson that any group of section which has a common bond of interest can secure its object only through organisation. This quickened the communal and caste feeling, but local and provincial patriotism also shew unmistakable signs of development. All these indicate the real emergency of public opinion and general will in a form, however restricted, expressing themselves through relations which most closely concern and interest the masses of the people.

#### THE NATIONAL DEMAND

With the economic and educational development of the country have come naturally and honourably enough, a greater self-respect, both individual and national, and a demand for equality of treatment and status with the West. The nationalist demand is for self-government and Dominion Status. It is couched in terms of British thought and British institutions. The demand for self-government is that India should be allowed to manage her own affairs both in the provinces and subject to any temporary safe-guards that may be requisite at the centre. The claim to Dominion Status so far as that can be separate from the ideas of self-government has perhaps a sentimental but not on that account any less potent aspect. It is possible to trace in these political aspirations two separate trends of thought. The first is directed to the natural satisfaction of a national pride and national sentiment. It is asked: Are differences of race and culture to keep India permanently in a position of inferiority to the great Dominions or is she to have equal treatment within the empire? The second line of thought is directed to the fulfilment of concrete policies. Those who think on these lines have an essentially practical outlook and demand power in order to achieve certain definite objects.

Referring to the extent of support for the nationalist demand the despatch makes interesting observations.

'It happens that the course of the civil disobedience movement in the last few months has exhibited with sufficient plainness the strength of the nationalist forces and also their limitations. It is clear that they have on their side a substantial measure of support from educated Hindus of all classes, for large numbers of those who have not actually joined the movement, being repelled by its methods, have shown unmistakable sympathy with its aims. There is little doubt also that the minority communities to a large extent share in these broad nationalist aspirations.'

'But it has become plain,' says the despatch continuing, if a demonstration were needed, that generally speaking they are not without apprehensions of their position in a self-governing India and they are concentrating attention on the protection of their rights and interests. It is assumed that for some time after the introduction of the new constitution politics are likely to remain on a communal basis. It will only be a gradual process that the handling of practical problems of administration and policy will lead to the development of parties which will be divided on different lines. But looking at the country broadly, a political agitation of remarkable intensity and fervour has left the rural districts but little affected.

The despatch says that its reference to the nationalists excludes the extremists who, particularly among younger men, are a considerable body who are fundamentally hostile to the British connection and are convinced that it is only by force applied in some form or other that they can achieve their end. With such men, it would be idle to expect that any settlement is possible.

They will oppose any agreement that may be reached and the most that can be hoped is that gradually through the experience of a constitution which gives a considerable degree of self-government they may come to realise that more can be achieved by working the constitution than by endeavouring to overthrow it.

## EUROPEAN OPINION IN INDIA

The despatch then refers to the non-official European opinion which since its active entry into politics in 1919 has been showing an increasingly liberal spirit towards Indian aspirations. But owing to the boycott organised by the civil disobedience movement, the European commercial opinion recently has shown unmistakably that it does not mean to allow itself to be coerced by these methods and there has been some consequent stiffening of its attitude towards political advance.

## CONDITIONS NOT UNFAVOURABLE

The despatch proceeds: 'We have made above some attempts to describe the main political currents and forces that are moving over the formerly placid surface of India. If our reading of the situation is accurate, it is evident that the new constitution must be such as will take full account of these new forces.'

'The time has passed to assume the passive consent of the governed. The new system must be based as far as possible on the willing consent of a people whose political consciousness is steadily being awakened.

'There is still in the country a fundamental respect for authority. The new legislatures have established for themselves a position which is gradually coming to be understood and accepted by increasing numbers. Constitutional forms are for the most part respected and observed.

'The conditions for a substantial transfer of power are not in our view unfavourable and we are convinced that the time has come when the broadcast considerations of imperial policy demand that we should spare no efforts and even take some risks in order to arrive at a constitutional solution which will give reasonable scope to the ideas and aspirations that are moving India today.'

## CONSTITUTIONAL CHANGES.

The despatch then proceeds to enunciate the governing principles which should underlie the constitutional changes. It agrees with the Simon Commission that 'our aim must be to establish a constitution which should, as far as possible, contain within itself provision for its own development'. The Government of India also accept the ideal of an all India federation but say: 'We must also realise that the ideal is not likely to realise itself save in its own due time. The main problem is how British India may be developed in a manner which shall not only be consistent with the wider vision but shall be appropriate to its own immediate requirements. We have no doubt that apart from the importance of designing a structure into which the states may later fit themselves, the conditions of British India itself point clearly to federal development. We are, therefore, in full agreement with the broad aim of the Commission to give to the provinces the maximum of autonomy consistent with the interests of India as a whole. But in following this policy, we must be careful not to sacrifice the spirit of national unity which has gradually been developing under the centralised British administration.'

## CENTRAL GOVERNMENT.

As regards the problem at the centre the despatch says that the two extreme positions of no responsibility at the centre and complete self-government are impossible. A so-called strong central Government would no doubt be strong in the sense that it could count on getting its own way, but it would be wholly deprived of that element of strength which comes from the support of public opinion.

Similarly it is clear that many of the central Government's functions must for some time continue to be exercised in responsibility to the ultimate will of Parliament. The despatch endorses the Simon Commission's views that Nationalism is a force with immense power for good or evil and the task in the future is to utilise that force for constructive ends. For nationalist movements that fail to find appropriate outlet for their energies (lead ?) to mere strife and futility. The despatch, accordingly, states that the conditions of the problem at the centre suggest to us the importance of defining as early as possible the purposes which the British must continue to safeguard in India and making it plain that where these purposes are not concerned India should be free to manage her own affairs.

## PARLIAMENTARY INTERVENTION

'From this point of view the activities of the central Government might perhaps be viewed as falling into three categories. Firstly, those subjects in which the

interest of Parliament might be expected to be continuous, such as defence, foreign affairs, preservation of general tranquility and fulfilment of financial obligations. Secondly, there would be subjects in which Parliament would be interested only occasionally if and when it becomes clear that policies pursued were affecting the purposes which Parliament wished to safeguard. We should be inclined to include in this category methods of taxation by which the revenue of the central Government is raised, tariff and commercial policy, and management of railway. We should expect these matters normally to be directed in accordance with the views that commanded themselves to the majority of Indians but subject always to the possibility of Parliamentary intervention if any of the purpose of Parliament were threatened. Finally there would be a range of subjects in which we should hope that popular policy would seldom if ever come into conflict with the responsibilities of the Parliament. Therefore the precise form by which public opinion may make itself felt in Government which must be prepared in certain matters to be guided ultimately by the will of Parliament is the cardinal problem that confronts us. Our aim should be partnership in a common cause and we should without delay set ourselves to the task of encouraging the establishment of effective relations between the legislature and the executive and thus prepare the foundation for full responsible government which we desire to reach.

#### SIND AND ORISSA.

The despatch proceeds next to a detailed examination of the proposals made by the Simon Report and takes up the question of provincial Governments. Referring to the Boundaries Commission, it suggests two separate committees on Sind and on Orissa and wants other possible readjustments of provincial boundaries to stand over until opinion has more clearly expressed itself. The new administration themselves would take up such questions as they arise. The separation of Burma might involve a readjustment of boundaries between Burma and Assam.

#### PROVINCIAL COUNCILS.

As regards the main issue that dyarchy be abolished and that a great step forward be taken, the unanimity of provincial Governments is complete. Differences in opinion, on details merely anticipate what the Government of India consider to be probable, namely, that the working of the new system may not follow identical lines in all provinces. The despatch agrees to the life of the provincial Councils being raised to five years, but while supporting a material enlargement of provincial legislatures would leave the exact size of the Councils to be worked out by the Franchise Committee on the basis of the ascertained needs of various provinces. The Government of India doubt whether after the Franchise Committee has reported, the power of nomination would be necessary on the scale which the Commission had in view. They agree that no special provisions be made for the election of women. The disappearance of the official bloc is approved and the proposal to grant constituent powers to the provincial legislatures is welcomed. But it is pointed out that there are grave difficulties in giving this procedure any wider extension even within the ambit of electoral law. Distribution by statutory provisions of the balance of political power between the representatives of different communities and interests in fixed proportions immensely complicates the possible effects of the electoral change. The initial disposition will now be made under the authority of Parliament itself after consultation with the representatives of British India assembled in meeting at the Round Table Conference. To throw open those dispositions to an early revision by local authority would from the start invite conflict and might prejudice an endeavour to initiate a fully responsible system of Government in the provinces.

#### SECOND CHAMBER

Therefore the range of constituent powers accorded to the provincial legislatures should be as proposed by the Commission with one addition regarding the second chamber which the despatch discusses in an interesting paragraph. The despatch pays regard to the local conditions and accepts the recommendations of the local Governments of Madras, Bombay, Punjab and C. P. that there be no second chamber in those provinces and accepts the recommendations of Bengal, U. P. and Bihar and Orissa that those provinces should have a second chamber. The franchise committee is to suggest the manner of the composition of the second chambers in those three provinces, but as a demand might arise for a second chamber in future in other provinces the despatch accepts the Madras Government's

suggestion to include it among the matters on which after 10 years a constitutional resolution could be passed. The despatch suggests that a resolution for the creation or abolition of the second chamber should be supported by not less than three-fourths of the votes of the legislature instead of the proportion of two-thirds suggested by the Commission for other matters. Further that in the case of abolition of the second chamber the resolution of the Lower House if approved by the Governor be submitted by the Governor-General to the Secretary of State to be laid before Parliament for its approval.

The despatch mentions that the suggestion of the Commission for a small expert revising body to report on Bills before the third reading stage has attracted little support.

#### FRANCHISE.

The despatch next refers to the question of franchise on which the provincial Governments have expressed differing views. The Bombay Government would treble the electorate but other Governments caution against too rapid an enfranchisement. The Government of India would not tie down the franchise committee to any percentage, but would be glad if 10 per cent. of the total population as recommended by the Simon Commission is enfranchised. The committee should be specially directed to examine the feasibility of introducing an additional qualification based on education which proposal has received considerable measure of support though the Punjab and U. P. Governments question the soundness of this qualification. The committee will not, however, be able to treat as first principles two recommendations, namely, that there should be in each community the same proportion of voters to population and that the franchise qualification for all communities should be on the same level. In some cases their results may be found to be contradictory and we anticipate that an adjustment by compromise will be needed in their application. In agreement with the provincial Governments we would prefer that Parliament should not commit itself to the appointment after 15 years of a second franchise committee.

The despatch remarks that the Commission's suggestions for female franchise have called forth much criticism and doubts whether they would be acceptable to any considerable section of opinion in the country. According to the U. P. Government one practical result of the proposal would be to give to the family of the low caste Hindu voter whose wife is able to go to poll a second vote and thus give them twice the voting power of many of the higher castes and also of many of Muslims whose wives would be debarred from recording their votes by the operation of social custom. The Government of India agree that it would be unwise to force upon India measures for the enfranchisement of great numbers of women and would leave the matter to be dealt with by the provincial council through a constitutional resolution but subject to the principle set out by the joint select committee. The question of special enfranchisement of women should be investigated by the franchise committee.

#### MUSLIM REPRESENTATION

The despatch next refers to the Hindu-Muslim impasse. It is stated that there has been a disposition on the part of the Muslim community to accept either of the alternatives put forward by the Simon Report. The Government of India while reluctant to write anything which might hamper an agreement between the representatives of the two great communities feel that the prospects of an agreement seem remote. With the removal of the official block the relative strength of the various communities becomes a matter of still closer interest. The despatch continues: 'In the provinces other than Bengal and the Punjab every provincial Government agrees that the Muslims should retain their existing weightage if they desire it and with this expression of opinion we agree. With regard to Bengal the local Government state that there is an irreconcilable disagreement between their Hindu and Muslim members. The European members of the Government have come to the conclusion that representation on the basis of population is the fairest method of distributing seats in the general constituencies and that any weightage that is to be given to non-Muhammadans in respect of their wealth, education and position should be allowed for in special constituencies. In the Punjab the position is singularly complicated owing to the rival claims of three communities, the Muslims, Hindus and Sikhs. The official members of the Punjab have worked out a carefully balanced scheme for the composition of the new provincial Council



which gives the Muslims a majority of two over the Hindus and Sikhs combined and a proportion of 49 per cent. of the House as a whole. The scheme satisfied neither the Muslim nor Hindu or Sikh members of Government, but in our view merits consideration. Subject to the remarks which we make on the more general aspects of this baffling problem, we consider that it may be a legitimate grievance to deprive the Muslims in the Punjab and Bengal of representation in the Councils in proportion to their population merely because of the weightage allowed to the Muslim minorities elsewhere. Majorities in the Legislature are guaranteed on a population basis at the wish of a majority community through communal constituencies. The existing differences between the voting strength and the numerical strength of the various communities lie at the root of the present difficulties. When with the extension of the franchise these differences disappear and the voting strength more correctly reflects the population, the justification for communal electorates for the majority communities would cease. We agree that the privilege of communal electorates where they now exist should not be taken away without the consent of the community concerned and that such a consent should require the votes of two-thirds of the members of the Legislature of the community concerned. But we attach importance to providing a machinery in the Act for the disappearance of such electorates and for their future replacement by normal systems of responsible self-government on democratic lines.

#### OTHER MINORITIES

The despatch next discusses the representation of other minorities. As for the Sikhs it says that the Government of India are unable to propound any better solution than that put forward by the official members of the Punjab Government. It is agreed that European representation should be on the present proportions and that the Anglo-Indian representation wherever possible be by the separate electorates. The provincial replies regarding the Indian Christians show that in some provinces reservation of seats may present considerable difficulties and that where separate electorates cannot be found the Indian Christian community may still need to rely for its representation on nomination by the Governor. The Commission's proposals regarding the depressed classes place a peculiarly embarrassing duty on the Governor to certify candidates for election. The U. P. Government calculate that in U. P. the Commission's proposals would result in the return of 40 depressed classes members in place of the existing single representative. The despatch, therefore, says that the whole question of representation of the depressed classes would need a careful investigation by the franchise committee. The despatch agree to the abolition of non-Brahmin representation in Madras and keeps an open mind on the subject of Mahabhatta representation in Bombay.

#### SPECIAL REPRESENTATION

The despatch next deals with the question of special representation. While agreeing to the retention of university representation which all except the Behar and Orissa Government support, the despatch endorses the suggestion of the Indian Central Committee which is supported by the Governments of Madras and Bengal that the electorate should not be graduates, but should be confined to the members of the senate or the governing body. The Government of India have no hesitation in holding that the special representation of great landlords must continue and hold that the Commission's arguments against it could with equal effect destroy the claim of commerce or of university. Those landlords who are elected by the general constituencies may prove to be unrepresentative of the landholding interest. But the precise extent of their representation is a matter for investigation by the franchise committee. The despatch accepts the provincial Governments' recommendations regarding representation for commerce and industry and as regards labour seats nomination will still have to be resorted to. At any rate the problem should be further examined by the franchise committee.

#### PROVINCIAL EXECUTIVE.

The despatch next deals with the important subject of provincial executives. It agrees that the vote of censure should be on the Ministry as a whole and that the existing scale of salaries should be alterable only by a provincial statute. The question of official Ministers is examined at some length. Some local Governments oppose it while others are divided on the subject. The Government of India agree with the Commission that there should be discretionary power with the Governor to appoint

an official and think that an official Minister would seldom be appointed and that if appointed his choice would rest on the general consent of the Cabinet. One member of the Government of India dissents from this view as he cannot reconcile himself with the principle of joint responsibility.

#### COMMUNAL REPRESENTATION

As regards communal representation in the Cabinets the despatch while opposing a statutory provision supports the suggestion of the U. P. Government that the Instrument of Instructions to the Governors should include an obligation to attempt to secure representation of a minority community in the Cabinet where such minority is in his opinion of sufficient importance to warrant it. The despatch further says that the minority problem makes it essential that there should be no constitutional requirement for the appointment of a Chief Minister in all provinces though it is expected that there will ordinarily be a Chief Minister whom the Governor would consult before appointing other Ministers. The despatch supports the Commission's proposals for a Cabinet secretary and says this official would be a servant of the Cabinet and whenever he approached the Governor on any matter he would not do so without the cognizance of the ministers. As for the need of giving the Governor experienced advice in exercise of the over-riding powers, no precise or specific provision can be made. This advice could be sought from any quarter by the Governor and local practice which may vary from province to province will grow and develop. But the despatch lays importance on the point that the various secretaries to the Government will continue to have access to the Governor.

#### OVERRIDING POWERS

Turning to the question of overriding powers of the Governor, the despatch refers to the conflicting suggestions of the local Governments and says: 'The overriding powers of the Governor should be defined in the statute, but no closer definition should be attempted than is made by the Commission. The Government of India do not agree with the Punjab Government that the Governor should have power to intervene to secure financial stability of the province and agree with the Commission that such power of intervention is undesirable and should prefer to rely on the Governor's persuasion and guidance to prevent overhasty action.' Continuing the despatch says: 'We agree with the suggestion of the Commission that the Governor's power of securing the passage of rejected grants should correspond to the range of his special powers to control executive action.' The despatch refers in this connection to the suggestion that without the fundamental rights recited in the Act the Governor's protection of minorities would be ineffective. The Government of India examine the arguments for and against and expect that this would form the subject of keen discussion at the Round Table Conference. Referring to emergency provision the despatch says there has been little criticism of the Commission's proposal on the subject in the event of a constitutional breakdown but the suggestion is thrown out that the Governor's powers to issue an ordinance be subject to the consent of the Governor-General.

Grave difficulties are seen in the Commission's proposal regarding the backward tracts. The despatch remarks: 'Our present disposition is to maintain a link between the provinces and backward tracts without interposing central responsibility for their administration'.

The Government of India defer their remarks on the centralization of the High Court administration till the large constitutional issues are settled, but as regards the appointment of judges agree that the permanent appointments should be made by the King and other appointments by the Governor-General in Council.

#### PROVINCIAL FINANCE

The despatch next deals with the question of provincial finance and recommends the maintenance of a strong Finance department in each province and that the special position accorded to the Finance department in Part III of the Devolution Rules should be retained and specifically provided for in the new constitution. Sir Walter Layton's scheme is then examined elaborately and considerable criticism is offered. It is pointed out that in case indirect election to the Assembly is not approved, the provincial fund could be discussed by a separate inter-provincial council. The preliminary comments on the Layton scheme show that it is conceived in a spirit of optimism, that there are certain important omissions in the survey of

the central Government's position and that the estimates of possibilities of fresh taxation in the provinces may prove to be very wide of the mark. Sir W. Layton's scheme was not worked in detail in its application to the provinces and it is in its detailed application that the main difficulties arise. The despatch says all conclusions are so hypothetical that it is impossible to envisage anything like a time table in giving up to the provinces sources of central revenues, and that as under the Meston settlement while the share in the remission of contributions should be laid down by rule the dates and amounts of remission should be left to the discretion of the central Government to enable it in all circumstances to discharge its responsibilities which include defence, debt, credit and foreign relations of India. This leads the Government of India to consider salt in a special way for it is best suited of all for an emergency tax and it is suggested that when the proceeds on the present rate are transferred to the provinces no further increase in rate would be permissible as provincial revenue. The despatch then examines some of the new sources of provincial revenue. It says that the opinions of local Governments with a few exceptions are definitely opposed to income-tax on agricultural incomes and its imposition is considered unlikely in the near future. A terminal tax on the suggested scale would be a serious burden on trade. A tax on tobacco and matches would not be imposed without the Indian States' co-operation. The order wherein the central Government should surrender revenue to the provinces proposed is first two crores in form of personal income tax and thereafter the surrender from this and the salt tax would be in equal amounts. The present borrowing arrangements are to be retained and if any provincial Government wishes to maintain separate balances the Government of India would agree to it subject to suitable arrangements as to details. The Government of India accept the Commission's recommendations regarding accounts and audit and grants-in-aid by the central Government for provincial objects and leave the question of local cesses on hand to the provincial legislatures within whose competence it is.

#### FRONTIER REFORMS

The despatch next deals with the question of the chief commissioner's provinces and takes up the question of the North-West Frontier Province. It points out that the undertaking of the August pronouncement would still remain unexpressed in the Frontier province if the Simon proposals for the Minto-Morley reforms were accepted while dauntly urged by the Muslim members of the Indian Central Committee could not be introduced when it was being discarded elsewhere. The Government of India, therefore, accept the third alternative scheme recommended by the chief commissioner of the province. This would set up a council of 30 or 40 members with elected members in majority of one over the nominated. The officials would be six or eight and the minorities would get seats double of their population strength with a separate electorate or reservation or nomination whichever they prefer. The election to the council would be direct or both direct and indirect as a locally constituted franchise committee might suggest. The chief commissioner as head of the provincial Government would be known as Lieutenant-Governor while he would be A. G. G. for administering tribal areas. He would be assisted by two Ministers one of whom would be an official. The central subjects would be classified with special reference to the Frontier conditions and only provincial subjects following broadly the lines of classification in other provinces would be handed over to the provincial authority. But as the province would have a large deficit, a subvention from the central revenues would be needed and this subvention should be fixed and be subject to a quinquennial review by the Assembly. The Government of India accept this more liberal scheme of the chief commissioner and say, 'we do not disguise the risks involved but the risk of continued political dissatisfaction in the Frontier Province is to our mind the greater menace.'

The despatch accepts the view of the Commission regarding Baluchistan, Ajmere Merwara, Coorg and Delhi, but with regard to Delhi, the chief commissioner's view is endorsed for one Hindu and one Muslim seat in the Assembly for Delhi province. But the Government of India hope that there would be a machinery in the constitution to enable administrative and constitutional changes being made at any time in the form of Government of the centrally administered areas.

#### BURMA—NO INSURMOUNTABLE BARRIER TO SEPARATION

The despatch next deals with the question of Burma and after conducting its own departmental enquiries agrees with the commission that there is no insurmount-

able barrier to separation. Even on the broad issue of the military problem the Commander-in Chief opines that unified military control is not essential. As regards financial considerations the Finance departments's review of the Layton figures is that it would not be safe to accept at present the Commission's finding that separation could fairly be accepted in such a way as to do no financial injury to India. The economic effects too would be considerable in the administrative field. The question could be settled by negotiation. The Government of India, therefore, assuming that equitable financial and other arrangements are made, supports the principle of separation of Burma from India and agrees that the present is the most suitable occasion for the purpose but urges His Majesty's Government not to announce the decision till the Round Table Conference has had an opportunity to discuss matters constitutional. A Commission would have to be set up to elaborate a constitution for Burma and the Government of India would expect an adequate opportunity for Indian opinion to be heard. It is further emphasised that the pledge given in 1927 of responsible Government be reaffirmed to a separated Burma to allay the apprehension caused as to motives behind the official support to the separation. A committee of Privy Council is suggested for effecting a financial settlement between India and Burma assisted by expert witnesses or possibly assessors from India and from Burma.

#### CENTRAL GOVERNMENT

Special interest attaches to that part of the despatch which deals with the central executive. The Government of India re-emphasises that the present period of transition from a system of bureaucratic administration towards full responsible Government requires the continuance of effective partnership between Britain and India. The working of the existing system of Government is described. According to the despatch the main conditions of a strong Government on lines which have already been drawn irrevocably for India are, first: internal unity in the executive; second, harmony between the executive and the Legislature; and, third, sufficient backing from public opinion. The existing system provides adequately for the first condition, namely, internal unity in the executive. The second condition of harmony between the executive and the Legislature is most difficult to realise. The Commission seem to suggest that their mutual relations are such as to avoid embarrassing the Government as a whole. It is necessary, however, to look below the surface. Although at first sight it might seem that the executive is usually able to carry its measures, the real situation is that in any controversial issue, the Government can seldom be certain of securing the support of a majority in the Assembly. In these circumstances, it is unlikely that what we have described as the third condition of a strong Government should be realised namely, a sufficient backing from public opinion. Indeed the controversies in the Assembly definitely tend to injure the credit of the Government in the country. Public opinion counts every year for more and is expressed in an increasing degree in the Legislature, where the denunciation of the policy and action of the Government and the criticism of the executive is characterised by the normal exaggeration of political controversy and receives wide publicity and support in the press throughout India and so magnified hastens to generate feeling and friction. The Statutory Commission refer rightly to the danger of the authority of Government being undermined by continuous and unjustifiable attacks. Publicity is suggested as a corrective, but satisfactory publicity for a Government placed in the position we have indicated is difficult to secure. The only effective remedy is to enlist a greater degree of popular support.'

#### 'INEVITABLE DUALITY'

The despatch then outlines the proposals of the Commission which suggest no changes as regards the responsibility of the Governor-General in Council to the Secretary of State and insist that unity in the central executive must be preserved at all costs. They recommend the enlargement of the Assembly but there is little ground to anticipate that this change would produce a legislature of which it could be predicted that it would work harmoniously with the executive as contemplated by the Commission. In any case it is evident that their proposals would completely change the balance of the Legislature and that the proportion which the official element bears to the whole would be so small that it would be unable to exercise any appreciable influence. Thus in practice these proposals can hardly produce a strong central Government which the Commission desire to see. Indeed they carry

a stage further the process which we consider has already reached the limits of safety. The stage has now been reached when the appropriate course is to bring the development in the Legislature and executive into closer coordination. It may, therefore, be that in order to obtain greater degree of harmony with the Legislature, we shall have to sacrifice something of the internal unity of the executive. We do not fail to realise the great importance of effective unity and shall endeavour in any suggestions we make to promote its retention in the greatest degree possible but we do not think all other considerations can be sacrificed to the attainment of this object or that internal unity in the executive without any degree of harmony between the executive and the Legislature will yield a strong or tolerable Government. We have made it plain that in our view the conditions at the centre involve an inevitable duality or sharing of power between Parliament and the Indian Legislature and we now proceed to consider the various constitutional forms by which this essential fact might receive expression.

#### SHARING POWER

The Government of India then discusses in succession under three main heads the possible methods of sharing power, namely, first, the exclusion of certain functions from the field of central Government; second, dyarchy; third, a unitary Government. The first is appropriate only for strictly limited problems. Any considerable extension of the system would result in setting up two Governments. But on the particular point the despatch supports the proposal that the Viceroy should be the agent of the Paramount Power in relation to the princes.

#### DEFENCE

As regards the suggested exclusion of defence, the despatch says that the Government would under the Commission's scheme still remain irresponsible to the Legislature. It is doubtful, therefore, whether under this proposal there would be any immediate gain to India's constitutional progress and we are somewhat apprehensive of a premature decision. Conditions do not remain static and it seems to us not impossible that by retaining the Army for the present under the control of the Government of India a workable partnership in its administration may gradually be evolved by means of natural process and that we hope to see set up by the new constitution one member of the Government of India.

The Government of India propounds a scheme that after placing the administration of the Army in the hands of the Governor-General and transferring the Indian States to the Viceroy's control, a unitary Cabinet responsible to the Legislature should administer all departments of the Government subject to the overriding control of the Governor-General in all specified matters in which Parliament found it necessary to maintain its responsibility. Under this scheme the Governor-General would be armed with powers requisite to enforce a decision both in the fields of legislation and finance, and the ultimate power of suspending the constitution would be a necessary corollary.

A Reserve Bank and a statutory Railway Board would precede the inauguration of such a constitution. The majority of the members of the Government declare that if, contrary to their expectations, Indian opinion were prepared to accept the suggested exclusion of the Army from the functions of the central Government, it would be necessary to examine more closely these difficulties and the general implications of this method of approach to the problem.

#### DYARCHY AT CENTRE

The despatch next refers to the possible method of introducing dyarchy recommended by the Indian Central Committee. It remarks that it can be claimed that dyarchy constitutes a frank recognition of facts and is a strictly logical solution of basing the authority of the Government in different matters on two different sources, but it is an inconvenient plan. If, for instance, commerce were a transferred and finance a reserved subject, it might well happen that a popular tariff policy might have most serious effects on the general finances of the country. Where unity should be the idea, it does not seem wise to emphasise duality by adopting a system of formal dyarchy. The question to be considered is to what extent could power at present be transferred. If the Indian Central Committee's scheme could be accepted a government would be established at the centre working in agreement with the Legislature and covering all the principal domestic activities of the country. 'There is a strong demand among those who are stirred by the rising

feeling of nationalism that India should be allowed to manage her own affairs at the centre as in provinces and, above all, that she should have a chance of decision and pursuing a national policy in matters of finance, commerce and industry. It might be expected that the Indian sentiment would to a great extent be satisfied and Indian suspicions of the real intentions of Britain allayed, but all depends on the possibility of an immediate transfer to popular control of the central administration of finance, commerce and law and order.

The despatch commenting on this says that it must be frankly recognised that the control of finance is fundamental, for finance has a bearing on all activities of the Government.

It would do nothing but disservice to Indian interests for the British Parliament to transfer its responsibility for Indian financial administration until the foundations for confidence in the policy of those who would control affairs under the new regime had been established. At present in view of the general attitude of the Congress and the talk of repudiation of debt, such confidence, however unjust this may be to India as a whole, is conspicuously lacking.

As regards internal tranquillity, a critical change is being made in the provinces by transferring law and order and until the results of this change have been observed it does not seem to us possible for Parliament to part with the power to maintain the ultimate guarantees of stability. It is the central Government which is responsible for the ultimate conditions of internal security throughout the country by determining the military forces, the administration of the Arms Act, co-ordinating information and policy regarding subversive movements and by keeping intact the general structure of the criminal law. Hitherto the executive in such matters has never relied on support from the bulk of popular opinion in the Assembly and until experience has been gained of the manner in which problems are handled locally by responsible Governments, it is unlikely that Parliament will be willing to transfer at the centre the ultimate safeguard of security throughout the country.

The Government member who dissented from the above holds that safeguards in this scheme would be sufficient to justify a degree of responsibility both in regard to finance and law and order.

Turning to the third method, a unitary Government, the despatch holds that the Commission were not less conscious than the Government of India of the importance of harmony between the executive and the Legislature and had suggested three lines. Firstly, that the Governor-General should appoint members to his Council. 'We attach considerable importance to this method of appointment. It does not necessarily lead directly to responsible Government but historically the substitution of Governor-General for the Crown as the appointing authority has proved in the Dominions to be an important condition in the development of responsible government.' In the second place the Commission have suggested the inclusion in the Executive Council of one or more elected members of the Assembly or of the Council of State. It is clear that this proposal has potentialities of great significance. Thirdly, the Commission express the belief that the influence of the elected members of the Legislature will steadily increase.

The despatch then discusses these proposals at length. The inclusion of members from the Legislature in the Executive Council will not in itself secure the object of harmony between the executive and the Legislature. If real value is to be derived from the proposal which contains a promise of hopeful development, it is necessary not only that the members appointed from the Legislature should retain their seats as elected members, but that it should be recognised that they will remain in touch with and responsive to their political supporters. Efforts have been made by the Government in the past to consult party leaders.

But we are convinced that if the leaders of parties in the Assembly are to be taken into consultation, as they must be on any principle of responsiveness, it is better that they should be inside the Government rather than that they should advise in an irresponsible capacity from without.

The conclusion of these arguments seems to point to a Government which, while containing a definite official element and not formally responsible to the Indian Legislature, would yet include an appreciable popular element consisting of elected members of the Legislature who might command sufficient support in that body to afford in normal circumstances the promise of responsible harmony between the executive and the Legislature. The proportion which the elected members should bear to the official members might no doubt receive consideration, if suggestions on these lines were discussed at the Round Table Conference. It will naturally be asked how

elected members of the Government associated with an official element are to retain their following. The answer is that they must be able over the widest field that circumstances permit to frame policy in accordance with the views of their supporters. This in turn implies that Parliament will be willing to define with some precision the purposes for which it would wish to exercise its constitutional right of interference with the policy of the Government of India and that so long as the policy pursued does not menace the objects which Parliament declares its intention to safeguard, the Government of India will be at liberty to manage the affairs of India in close association with the Indian Legislature. The primary responsibility for ensuring that the purpose of Parliament were not impaired would rest upon the Governor-General but he would have to assist him in this task three official members of his Government who would naturally hold portfolios in which questions of more particular interest to Parliament were likely to arise. 'In most cases we anticipate united conclusions. When, however, there was irreconcilable difference of opinion between two elements in the Government, it would be for the Governor-General in consultation where necessary with the Secretary of State to decide which view was to be supported. If he accepted the popular view, official members might record their opinions for the Secretary of State's information. If the Governor-General were reluctant to reject the official members' views, the elected members might either acquiesce or tender resignations.' It is impossible that the Governor-General would be unable to replace them by members with a following. 'In such event, he would be thrown back to the expedient of replacing them either by non-officials with no popular following or unconnected with politics or in the last resort by additional officials. If this happens the progress towards the development would be interrupted, but there would be no question and the Government would continue to function, though it would have to encounter the hostility of the Legislature. The situation, however, would be no worse than if an unpopular measure or policy had to be pushed through or under the system sketched by the Statutory Commission. On the other hand we are disposed to think that forces would be at work tending to restore the situation. We contemplate, as we have said, that the Legislature would through elected members have real power to pursue its own policy over a wide field. It seems unlikely that it would for a long period deprive itself of constructive power over policy merely in order to register its dissatisfaction at some particular measure. The greater the power the Legislature had acquired the less would it be likely to persist in such a course.'

The despatch envisages possibilities of deliberate obstruction, but says such a contingency will have to be faced. 'In the long run we believe that the forces of reason and orderly progress would triumph over those of negation and obstruction.'

#### SCOPE OF POPULAR ELEMENT

Defining the scope of the popular element in such Government the despatch says: 'The elected members would, within the Governor-General's Council, be enabled to press their views on all subjects with the knowledge of the strength which these views must derive from the support of the legislature. In the second place there is a large sphere with which we should hope Parliament would not find it necessary to concern itself. Throughout this sphere we contemplate that the Governor-General would be guided by the advice of those of his Council who represented the wishes of the legislature. We should suggest that the Instrument of Instructions to the Governor-General should contain a definite provision to this effect. A convention of this kind would offer a wide field for constructive work and for parties in the art of formulating and carrying through popular policy and thus the foundations of self-government at the centre would be laid. The official members of the Government would express their views and give counsel on these matters, but it would be recognized that here their primary duty was to see that the purposes of Parliament were not infringed.' The despatch says that the elected members of the Government would not be removable by the legislature by a vote of censure nor would their salary be submitted to vote, but in the case of a member who has lost his following for reasons other than association with the other part of the Government, he could be replaced by the Governor-General selecting another member more truly representing the views of the legislature on matters in which the framing of policy would primarily lie with the legislature.

#### OBJECTIONS

Referring to objections to a Government of this type the despatch says: 'It may

be some other method can be devised, but let the main elements of the problem be remembered. The executive must own responsibility in certain matters to Parliament. The legislature must on any supposition have substantial popular majority. If a completely irresponsible executive is confronted by predominantly popular legislature the result must be intolerable friction. There may be other possibilities more acceptable to Indian opinion and we consider that any alternative proposals that may be put forward to safeguard the purposes of Parliament should receive full consideration.'

#### DIVISION OF SUBJECTS

We have explained the serious difficulties of any statutory and rigid distribution of subjects to distinct portions of the executive with different responsibilities. If, however, it would help the admittedly difficult position of popular members that a conventional division of responsibility should be formally recognised, we should be prepared to make a sacrifice of the forms of unity, provided we might expect to maintain such degree of harmony and co-operation between the two elements in the Council as would secure to the popular element training and experience over the whole field of Government and to the official element a reasonable support in the legislature. The despatch in order to complete the picture of the central executive mentions that the existing power of the Governor-General in relation to the legislature must remain unimpaired and that the power of restoring rejected demands should be given to the Governor-General in place of the Governor-General in Council. Technically the Council will cease to be the colleagues of the Governor-General and will become his advisers, but the appointment and dismissal of the members of the council will be subject to the superintendence, direction and control of the Secretary of State whose specific concurrence would be needed for the appointment or removal of any official member.

#### POTENTIALITIES OF DEVELOPMENT

Finally referring to the potentialities of development the despatch says : 'It must be expected that any scheme of Government at the centre will be judged by Indian opinion on the promise it affords of development into full responsibility. We think that the suggested form of unitary government leaves the path open for such development on natural lines and this is in our view perhaps its main attraction. No abrupt changes would be required. As Parliament recognised that the Indian legislature did not desire to pursue a policy inconsistent with the fundamental purposes which Parliament wished to secure, the occasion for interference would become less frequent. Simultaneously necessity for retaining the official element in the Council would diminish. The element would with the approval of Parliament gradually be reduced leaving what would in effect be a government progressively responsible. Development would come by normal constitutional evolution through a wise use by the Indian legislature of its opportunities. Until such time as India is able to make her own provision for defence and internal security we recognize with the Commission that special arrangements would be necessary for these subjects and for foreign policy. But over the rest of the field the process we have indicated might continue without interruption.'

#### CENTRAL LEGISLATURE

The despatch next deals with the constitution of the central legislature and says that the reconstruction of the Indian Legislature is perhaps the least vivid of the issues which have arisen in the recent political life of India. The Commission recommended radical changes in the constitution of both chambers, but public opinion is not favourable to the changes proposed. The Government of India holds that the principles in favour of direct election as the ultimate system for a Federal Assembly are stronger, but defers final conclusion till the matter had been thoroughly discussed at the Round Table Conference. Discussing the merits of the scheme proposed by the Commission the despatch says that it is not necessary that the method of representation of the states and the provinces must be uniform and as regards the need for representation of the provinces it is argued that the Assembly should be constituted with regard to the suitability for dealing with broad political issues rather than with the functions performed only at frequent intervals for which even an inter-provincial Council could be set up. Moreover there is room for some misgiving whether so great a degree of provincialization would be desirable in the Lower House in the central legislature. Either the provincial contingents would be



controlled by the provincial Councils and the central legislature would be excessively provincialised or they would not be controlled by the provincial Councils and the responsibility of members to the electorate might be even less than under the existing method of direct election from large general constituencies. Moreover under indirect election a party wishing to enter the Assembly would use the whole weight of all-India political associations upon the local legislature and simultaneous reference of the central and provincial issues to the electorate will have a disturbing effect. These would introduce confusion and unreality into provincial politics and be a real danger.

Another objection would be that indirectly the elected Assembly must normally be incapable of occasional dissolution. The Governor-General should not be deprived of this power of dissolution to remove deadlocks. Moreover as the average number of votes required for a candidate's election by the provincial legislature would be eight this might open a wide door to the employment of improper methods. There were thus strong arguments for composing the Assembly by direct election. The despatch at the same time suggests that the Round Table Conference might consider for the transitional stage a mixed system of directly and indirectly elected representatives through whom the 'all-India' and 'provincial' points of view would find expression. The real point is whether the physical conditions of India in fact make direct election ineffectual. The Indian electorate is held together by agrarian, commercial, professional and caste relations and it is through these relations that a candidate approaches the elector and in this way political opinion is the result partly of individual judgment but to a great extent of group movements'. 'Moreover', says the despatch, 'we are impressed with the further considerations that ten years ago Parliament of its own motion set up for the first time a directly elected Assembly representative of the whole of India. That Assembly, in part perhaps because it is directly elected, has appealed to the sentiment of India and sown seeds as yet only quickening of real representation. Accordingly, unless new considerations of greater importance have to be taken into account, we feel reluctant as yet to condemn an experiment undertaken so recently in a country awakening to political consciousness.'

The despatch recommends the retention of nomination because the necessity for maintaining strength in the central Government forbids too drastic a limitation of the Governor-General's power to secure some measure of assured Parliamentary support.

#### COMPOSITION OF ASSEMBLY

As regards the size of the Assembly, the despatch recommends a maximum strength of 200 members in place of the existing 145 and in an illustrated statement contemplates that of the 200 members 150 shall be returned by territorial constituencies and of the remaining 50 members seven members will be returned to represent the interests of landlords and five members of Indian commerce and the remaining 38 members be nominated.

The nominated category would provide for a maximum of 26 officials and for the representation of the depressed classes and labour.

As regards the 150 constituencies, these would be 80 non-Muslim, 3 Sikh and 13 European and it is urged that European commerce be directly represented in the Assembly. The present distribution by provinces would be retained. A Franchise Committee would investigate the question of reasonable extension of franchise.

#### COUNCIL OF STATE

As regards the Council of State the despatch declares that the present method of direct election has been quite successful, but would agree to indirect election for the Upper House, provided the change involved no prejudice to the rights of the minorities and commended itself to public opinion. The Government of India would retain the present proportion of elected and nominated members in order to secure a senatorial personnel and because it is desirable that for some time longer the central Government should be able to count on support from the Upper Chamber.

The Assembly's life of five years and the Council of State's term of seven years are approved.

#### DEFENCE

Having described the general administrative and legislative dispositions at the centre, the despatch considers successively in greater detail the problems of defence, finance, commerce, railways and external affairs.

## A CIVILIAN MEMBER

Discussing the issue raised by the problem of defence the despatch says :—‘It is to be remembered, and experience in all countries during the Great War has brought home this lesson very forcibly, that the administration of defence cannot be made the business of one department of Government alone. It would be preferable that the Government of India should retain its control of administration of defence but we should be prepared to consider our views if the Commission’s plan meets with acceptance at the hands of Indian opinion. The Government of India agree to the appointment of a civilian member for defence, but the Commander-in-Chief should retain the right of direct access to the Governor-General and should as a rule be present in the Executive Council when military affairs are discussed.’

The despatch says :—‘We find ourselves in agreement with many of the Commission’s observations on the subject of military expenditure. It will be for his Majesty’s Government to consider whether the Commission’s arguments in favour of a subsidy from the imperial revenues should be accepted and whether the Government of India can establish a claim to a fixed contribution determined by the factors to which the Commission have referred. We are in favour of the proposal for the constitution of a committee on army’s affairs, including members of the central Legislature, for the purpose of discussing and keeping in touch with military questions as recommended by the Commission.’

‘We are also in favour of the Commission’s suggestion that the military expenditure from Indian revenues should henceforward take the form of an annual total sum fixed for a period of years and revised at intervals. The general position of the Legislature in regard to defence matters should, however, remain unchanged. In particular, the existing facilities for the annual discussion of the military policy and expenditure in the course of the budget debates in the Assembly should continue.’

## INDIANISATION

The subject of Indianisation is dealt with at length. ‘It is of paramount importance,’ says the despatch, ‘that we should satisfy Indian opinion, that we are in earnest in our policy and that our measures of Indianisation are directed towards any definite goal.’

The question of an Indian military college is fully examined and after weighing the rival advantages of Sandhurst and an Indian military college, the despatch remarks that the difficulties would best be appreciated by imagining the attitude of British parents who in order to send her their sons into the army had to send them for training at an institution in a distant country. The despatch proceeds :—‘Some of our members prefer to make every effort for the retention of the advantages of Sandhurst as long as possible, provided that the military authorities in England were prepared to accept Indian cadets in increasing proportions, that the progress of Indianization will require. Others of us take the view that the establishment of an Indian military college should be set on foot as soon as practicable. In these circumstances we have stated to the best of our ability the arguments in favour of either course and his Majesty’s Government will have an opportunity at the Conference to ascertain the Indian feeling on the matter.’

The Commission’s scheme for a separate dominion army is examined. ‘We confess,’ says the Government of India, ‘that we do not at present see what justification or incentive could be found for the creation of the proposed new force.’

The idea of provincialising certain units of the army is also rejected. ‘We would greatly prefer that all units hereafter selected for Indianization should retain the status and functions of regular fighting troops and that any advance in Indianization of officer ranks must be made within the army itself and that the units selected for this purpose hereafter must continue to be trained and employed in exactly the same way as those which retain their British officer establishment. But whatever may be the outcome of the Commission’s suggestion for the eventual creation of a separate army, we have sufficiently indicated in the foregoing paragraphs our whole-hearted concurrence in the policy which they advocate for the meanwhile. Our aim is to proceed with measures for preparing India to undertake a large share of the responsibility for her own defence as rapidly as is practicable, and we shall be ready to adopt whatever means may be found most suitable and effective for the achievement of that end.’

## FINANCE

The despatch next deals with the problem presented by finance. Parliament's responsibilities in the financial sphere are classified under three main heads:—(1) Parliament must be able to ensure funds to meet the cost of defence; (2) Parliament could not relinquish the responsibility for good government without ensuring that the debts incurred during its period of responsibility are honoured; (3) Parliament must remain responsible for the pay and pensions, family pensions and provident funds of all officials recruited by the Secretary of State. These circumstances need not constitute a permanent obstacle to any transfer of financial responsibility but Parliament may demand some signal guarantee for future before surrendering the security provided by its direct constitutional power to control proposals for taxation and expenditure through a minister responsible to itself. If the confidence was shaken the flight of capital might well be felt on a scale which might mean financial and economic disaster. We have had evidence during the last few months of this danger. The outstanding consideration is that in absence of special safeguards any preparation for the removal of the responsibility of the Secretary of State would represent fundamental change which might be expected to give a very severe shock to India's credit.

## CURRENCY

On the subject of currency, the despatch says in unambiguous terms that the formation of a reserve bank on sound lines must be a condition precedent to any transfer of financial responsibility to a Minister answerable to the Indian Legislature. Such a bank's constitution must contain safeguards against the danger of political interference and it must work in close cooperation with the Bank of England. The fact that this bank is giving counsel to Australia in a time of great difficulty may help to convince Indian opinion of its value. There are inherent difficulties in the present financial and economic position caused by the world depression, the political movement and the particularly heavy obligation for the redemption of the existing loans over the next three years.

## CONDITIONS OF TRANSFER OF RESPONSIBILITY

It is made clear that an occasion for the transfer of financial responsibility cannot be reached apart from a fulfilment of certain conditions such as the restoration of normal economic conditions, the re-establishment of credit and confidence and the inauguration and successful working for some time of a reserve bank with adequate sterling reserves. The Government would do all in its power to expedite the fulfilment of such of the conditions as it can influence, but the weight of the task of establishing confidence in Indian administration must lie with the leaders of Indian opinion. An authoritative declaration by responsible leaders that they entirely discountenance the doctrine of repudiation of debts would be of some value, but great effect would be if Indians could give some signal proof that they are willing to mobilize their private resources for the sake of establishing (stabilising?) the national, financial, position. The main task of removing the misunderstanding and mistrust lies on Indian shoulders.

## THREE SAFEGUARDS

But even after the transfer of finance, Parliament would require three safeguards:—(a) the creation of consolidated fund charges to cover such items as interest on debt, railway annuities, pay, pension, family pension and provident fund, payment of civil officers appointed by the Secretary of State and army officers and the expenditure on defence; (b) some powers of supervision and control to be vested in the Governor-General for the purpose of maintaining financial stability; (c) provision for the resumption of control by the Secretary of State in the event of a threatened financial breakdown or an actual default under (a). The provisions under (b) and (c) imply an adequate supply at all times of information to representatives of His Majesty's Government.

The despatch also urges that the proposal of the Simon Commission to transfer to the High Commissioner the function of borrowing in London from the Secretary of State be postponed until a reserve bank is created. The Government of India declare:—'We consider that whatever the immediate constitutional changes may be, a state has been reached now when the main direction of the financial policy must definitely be regarded as resting with the Government of India and that the

function of the Secretary of State should be recorded as that of giving counsel and support in financial matters to the Government of India rather than that of exercising detailed control.

The essence of what we contemplate is that we should endeavour as a first step to embark upon a period which is definitely acknowledged as a period of preparation for the transfer of responsibility. Our declared object would be to create such a state of affairs as to make a transfer possible and to do this with no avoidable delay.'

#### COMMERCE

The chapter on Commerce is particularly interesting, as it deals with customs tariff and shows the way to doing justice to both British and Indian points of view in commerce. For the present two limitations on India's complete control of tariff are inevitable :—(1) The Government of India must look to tariff as the principal source of revenues, but even during the period within which control of the Finance department might remain in official hands, financial considerations need not prevent substantial progress in the direction which Indian opinion favours. (2) The tariff policy may have international reactions. So far as Great Britain herself is concerned, control might reasonably be exercised to secure for British goods the most favoured nation tariff treatment. But it would be for the Indian Government and Legislature of the future to decide all questions of preferential rates of duty. Within these limitations there should be no interference with India's management of her customs tariff and we believe a wide field will be opened up within which Indian members of the Government will be able to give effect to India's desires.

As regards British business, if once agreement could be reached to relieve the apprehensions of the European business community, control could pass into Indian hands without any frequent interference by Parliament. The Europeans do not wish to live by sufferance or to be treated as foreigners. The despatch says :— ' An intimate connection must continue to exist between Great Britain and India and subject always to India's right to receive reciprocal treatment, the citizens of the Empire should be allowed to enter India freely to engage freely in any trade, business, profession or calling and to receive just treatment. Indians, on the other hand, may fairly ask that in respect of certain national enterprises which are at present mainly or wholly in British hands, the British business community should cooperate in finding other methods to bring about the desired result.

#### RAILWAYS

As regards Indian railways, the purposes for which Parliament must continue to be interested in railway are defence, finance, services and the Anglo-Indian community. Thus the military authorities would need an assurance as to the efficiency of the traffic arrangements. The financial management must be such as to earn interest charges. As for the services, the question might arise as to the percentage of European recruitment which for the future may be deemed necessary on military grounds. Parliament has a special obligation before any change occurs to ensure that the interests of the Anglo-Indian community in the matter of employment on railways are protected.

Further, it would be necessary to locate the commercial management of railways elsewhere, while leaving the Government and the Legislature to determine broad questions of policy. For this purpose a statutory railway authority should be set up and statutory provision made for general principles in accordance with which railways should be administered. A detailed enquiry on the subject should be held by a committee or commission, because as an indispensable preliminary to the transfer to the hands of popular ministers, efficient commercial management of railways must be provided and also safeguards for the purposes Parliament would have in view.

#### EXTERNAL RELATIONS

As regards external relations, the despatch says :—On first class questions of policy, independent action by India is not yet within the realm of practical politics. Nevertheless there is a large range of external relations which may conveniently be so classed in distinction from foreign affairs and in which we see scope for an increasing recognition of the individuality of India among the nations of the world. It may well be that if the purposes of Parliament are defined as we propose, the Government of India may enjoy considerable liberty in matters such as commercial

treaties and treatment of Indians overseas. It is by the growth of understandings and convention and not by provisions of positive law that the Dominions have attained their present position. These are the lines on which India's authority over her own external affairs must grow. If India by convention were authorised to negotiate and conclude agreements with other countries within the Empire and even with foreign nations, her feet would be set firmly upon the path along which the Dominions have preceded her.

#### CENTRAL AND PROVINCIAL GOVERNMENTS

As regards the relations between the centre and the provinces, the despatch says :—It is not improbable that the ultimate solution of the problem of jurisdiction may be provincialisation of residuary functions. But we do not feel sure the conditions are yet prepared for a decision of this very important point in the future federal constitution of India. One member of the Government would make statutory provision giving such jurisdiction to the provinces, while the other members feel that so grave a decision cannot be taken at once and prefer to maintain the freedom which the devolution rules now afford to extend the provincial field.

On the subject of legislative jurisdiction the despatch agrees with the strong desire of the Commission to see maintained the provisions of the existing Act. The present distribution of administrative responsibility is accepted. As regards the C. I. D., the Government of India hold that little practical value would attach to power to impose control over only one branch of the unified machinery of police administration. But as a recommendation on the point is permissive the Government are prepared to accept it on that basis.

As regards financial jurisdiction the financial authority should continue to be distributed by statutory rules and the residuary powers of taxation would be retained at the centre. The despatch accepts the Commission's recommendation that the use of special and emergency powers by the Governors be supervised by the Governor-General and not by the Government of India.

The despatch then examines the important question of the normal powers of the centre over the provincial Government and says :—If the Government of India failed to get its way, it would advise the Governor-General to act in relation with the Governor. The chair of authority would be the Governor-General's powers of supervision over the Governor and the Governor's overriding powers over his Cabinet.

#### SERVICES

The despatch next deals with the question of services. It accepts the Commission's recommendations regarding the I. C. S. and the I. P. S. and the Lee Commission scale of Indianization is kept. But when this is reached, the future of each service would be fully reviewed. The despatch accepts the provincial Government's view that there is no necessity to continue recruitment for the Forest Service on an all-India basis. As regards Irrigation the despatch agrees that in all provinces except Bombay and the Punjab the recruitment for the Irrigation branch of the I. S. E. by the Secretary of State be discontinued. As regards Bombay and the Punjab, the local Government and the public opinion are conflicting and the decision is left to his Majesty's Government.

The Commissioner's recommendation regarding the central services is endorsed except for recruitment to the superior telegraph, engineering and wireless branch.

As regards safeguards, all local Governments agree with the Simon Commission that the right of premature retirement should be granted indefinitely and the suggestion of the U. P. Government that for the sake of securing recruitment new recruits might as well have the right of retirement after fixed periods of service, the earliest of such period being twelve years, might be considered, should a necessity for such a concession arise.

The despatch urges his Majesty's Government to restate in explicit terms the assurance on the point of security of pensions, family pensions and provident funds of services. The despatch mentions that in the meantime the Government of India is busy examining the memorials to see whether it is practicable to supplement the assurance by measures which will give a greater sense of security to the services. The despatch accepts the principle of the proposals of public service commissions in the provinces.

## INDIAN STATES

The despatch next deals with the knotty question of relations with Indian States. It says the ideal of an all-India federation is a distant one and the door should be left open for the possible creation of an all-India legislature in which both the states and the provinces would be represented. As regards paramountcy, one member of the Government has suggested the existing arrangement to continue with the exception that the elected members of the Executive Council would be debarred from participating in the disposal of business relating to paramountcy and that if this is not acceptable then the responsibility for paramountcy should be vested in the Governor-General and not the Viceroy with a view to prevent complication if the office of Viceroy and Governor-General is separated. The other members differ and state that the Viceroy could obtain the opinion of his Council and that the dual designation of Viceroy and Governor-General should continue and that paramountcy should be vested under the former designation. 'It is towards the Viceroy as his Majesty's representative rather than as Governor-General of India that the princes feel that respect and devotion which is so valuable a factor in our dealings with them.'

The despatch next refers to matters of common concern and future economic and financial relations and says that harmony between the two Indias would be needed not only in the sphere of finance and taxation, but also in such matters as legislation affecting the conditions of industry. 'It seems to us that the best occasion for reaching agreements satisfying this condition will be afforded by the forthcoming Round Table Conference and we recommend that every advantage should be taken of the opportunity. If there were to be complete agreement as regards principles, it would remain only in case of each state to translate those principles into terms of a financial settlement. A second alternative, the possibility of which we do not exclude, would be agreement between representatives of the states on one side and of British India on the other that the whole question of future financial and economic relations should be referred to an arbitral tribunal whose decision would be accepted as binding on both parties.'

## RELATIONS WITH 'HOME' GOVERNMENT

An interesting chapter follows on relations with the Home Government, dealing first with the executive authority of the Secretary of State, secondly with his powers of control and thirdly with the India Council. The doctrine of agency is rejected and the future constitutional position established that administration would be vested in the Crown and exercisable at the centre by the Governor-General and in the provinces by the Governors but subject to such superintendence and control on behalf of the Crown as might in each case be found appropriate. The retention by the Secretary of State of the general primary power of administration devolved upon him from the Crown is precluded.

The despatch rejects the Commission's view of undefined control of the Secretary State and while agreeing to the Governor-General being placed under the unrestricted control of the Crown, says:—'It is implicit in our recommendation for a specification of the purposes of Parliament that both the Governor-General's special powers and also the Secretary of State's powers of superintendence, direction and control should have no other extension than these purposes.'

## PARLIAMENTARY INTERVENTION

Thus the power of appropriation should in the first instance and by statute lie with the Governor-General in his legislature. Statutory rules should define the objects for which Parliamentary intervention in central administration may be practised but the rules should be broadly expressed and codification is deprecated. The Government of India suggest the nature of specifications that might be made in the statutory rules. They are described as:—(1) administration of subjects entrusted to the Secretary of State, (2) defence of India against external aggression, (3) imperial interests including foreign affairs, (4) questions arising between India and other parts of the British Empire, (5) international obligations or any obligation arising from an arrangement with the Empire to which India is a party or which is otherwise binding upon India, (6) conditions of internal security, (7) financial stability and the credit of India and fulfilment of the existing obligations, (8) protection of minorities, (9) avoidance of unfair economic and commercial discrimination, (10) rights of services recruited by the Secretary of State, and (11) maintenance of the constitution,

## INDIA COUNCIL

As regards the Council of India, the despatch says the future constitution would leave little room for the Council of India as an independent authority with power over appropriations and there is no need for statutory provision for a corporate body of advisers. But the Secretary of State should have suitable advisers in regard to services, finance, military problems and their experience, when Indian, should be recent.

## A SUMMARY

Summarising the results of their proposals, the Government of India write:— 'We have accepted the principles of a growing constitution and of an ultimate federation of all India and have in various places described our proposals for a partnership between India and Great Britain in the administration of British India observing scrupulously the pronouncements which have in the past been made on behalf of Parliament in regard to the nature and pace of reform and endeavouring to appreciate and pay due respects to Indian desires. We have nevertheless adopted no rigid mould into which the new constitution of India should be forced.

At the outset we described the demand of the Indian public in relation to the Announcement made by the Viceroy and Governor-General on the 31st October 1929, declaring the attainment of Dominion Status to be 'the natural issue of India's constitutional progress' and recorded our opinion that the broadest reasons of imperial policy rendered it imperative to spare no efforts and even to take some risks in order to arrive at a constitutional solution which might carry the substantial assent of reasonable Indian thought.

The recommendations of the Indian Statutory Commission as the provincial constitutions with which in general we agree, represent a generous response to the popular demand for provincial autonomy. They contain within themselves means of increasing adaptation to local circumstances and to the wishes of those who will be charged with the task of working the constitution that the Commission have outlined.

Our proposals for the centre in amplification of the plan put forward by the Commission have been designed with a double purpose. On the one hand, we have sought to examine the means by which the relations between the executive and the legislature can be established on a basis which efforts a reasonable chance of harmony in working. On the other, we have endeavoured to point the way to action that may now be taken to place upon the constitution the first but definite impress of Dominion Status. If we read history aright it is exactly in this way that each and all of the Dominions have attained to constitutional nationhood.

Accepting the recommendations of the Commission that the members of the central Cabinet should be appointed by the Governor-General we have drawn what appeared to us the consequential inference that the exercise of functions for the Government of India which reside in the Crown should be directly devolved upon the Governor-General and that therewith should go power to appropriate the revenues of India. We think it right to state clearly that if this were done, the Government of India would no longer merely be an agent of the Secretary of State. For the first time it would possess a distinct individuality. It would, it is true, be within specified limits under the control of his Majesty's Government, but it is of the essence of our proposals that that control should be of such a nature as to establish partnership in place of subordination. The Government of India would then be a distinct entity capable of acting in domestic matters on its own initiative and within the orbit of its uncontrolled powers free to pursue its own policy vis-à-vis the Dominions and foreign countries. It would occupy a new position which the growing freedom in the conduct of external affairs would connote. That it would not be an entirely independent Government is due to circumstances, internal and external to India, which are generally familiar and which invest the problem with such peculiar difficulty.

But while we are bound to suggest means by which provision can be made for the period of transition which must elapse before the complete fulfilment of the British purpose as declared in the announcements made on behalf of his Majesty's Government, we would set no artificial or statutory barrier to the natural evolution we desire to see. We believe the greater part of Indian opinion will be ready to recognise the special interests of Parliament, provided that Great Britain on her side is prepared by action to show that she does not falter in her desire to invest India with the constitutional status that she seeks and that her political development appears to justify. We would accordingly hope that if our suggestions are placed at

the disposal of the Conference, they may be of some assistance to those on whom will rest a heavy responsibility and the result of whose labours all who can measure the issues that are involved will anxiously await.

The despatch is signed by Lord Irwin, Sir William Birdwood, Sir George Rainy, Sir James Crerar, Sir George Schuster, Sir B. L. Mitter, Sir Fazl-i-Hussain and Mr. J. W. Bhore.

## Provincial Governments' Views

Following the publication of the Simon Report, the Provincial Governments prepared their views, and the subsidiary reports of the Governments of Bombay, Madras, Bengal, the Punjab, the Central Provinces, the United Provinces, Bihar and Orissa, Assam and Burma were published. Some of these reports show very general agreement with the recommendations of the now defunct Simon Commission. Most are in favour of a federal basis for the future Government of India. All express anxiety for the security of the Services and opinions are sharply divided on the problem of Indian defence. Almost all approve the continuance of the Council of State. One or two Governments, like Madras, refrained from comment on the Central Government and confined themselves to expansive criticisms of the future of Provincial Government. The general conclusion was that provincial needs must be met by a correspondingly flexible legislature. The almost overwhelming condemnation of the proposal for Second Chambers in the Provinces, for instance, does not invalidate the claim of a certain section in the United Provinces that it would find one useful. Appended are a few of the observations made by the Provincial Governments :—

### FEDERAL GOVERNMENT

*Bombay* : The proposed reconstitution will not give the Presidency a fair representation. The future Government of India must have a federal basis.

*Bengal* : If India is to be one of the "constituent States of the Commonwealth of Nations united under the Crown," ultimate constitution must be federal.

*The Punjab (officials)* : Indirect election will emphasise and establish beyond dispute the federal nature of the Indian constitution.

*The United Provinces* : The direct system of election to the Federal Assembly should continue as it has existed hitherto.

*The Central Provinces* : The Legislative Assembly has voiced satisfactorily the national aspirations of the country. Unless those for whom the reforms have been designed are willing to work a Federal Assembly, it is of little use to force its creation.

*Behar & Orissa* : On the proposal for a Federal Assembly opinion is divided.

*Assam* : The proposal is welcomed.

### PROVINCIAL GOVERNMENT

*Bombay* : A Provincial Cabinet should not include Ministers appointed from outside the Council. Existing restrictions against encroachment upon the central sphere are too rigid.

*Madras* : The Government accepts substantially the recommendations of the Report. Mohammedans must retain separate electorates until they agree to surrender them. The Governor must retain the right to nominate representatives for certain minorities.

*Bengal* : Dyarchy must go and a unitary Government be established. The transfer of all subjects including Law and Order to Ministers is inadequate. The transfer cannot be made without safeguards. The safeguards provided in the Report are inadequate and illusory.

*The United Provinces* : Conscious of the great dangers involved in responsible government but realising the abolition of dyarchy to be inevitable, the Government proposes



important safeguards. The Ministry must accept responsibility for the whole policy of the Govt. The Governor may include in his Ministry non-officials other than elected members of the legislature. A provincial statute must fix the salaries of Ministers. Votes of censure may be admissible only when they apply to the Ministry as a whole.

#### THE GOVERNOR

*Bombay* : There must be some ultimate authority empowered to carry on the administration in emergencies. In the provinces the Governor appears to be the only authority to whom these powers can be entrusted.

*Madras* : In the exercise of special and emergency powers the Governor should be subject to the control of the Governor-General. It is not necessary for the Governor to be the agent of the Governor-General.

*Bengal* : The Governor must be armed with full and ample powers to deal with any emergency that may arise when the ordinary machinery of Government has come to a standstill or when its powers are seriously misdirected. Similar reserve powers must remain with the Governor-General in matters affecting the central Government.

*Central Provinces* : It is useless to envisage a Governor in constant need of powers against his Ministers. Once mutual confidence has gone, the time for the Governor to part with his Ministers has come.

*United Provinces* : The Governor must be allowed to over-rule his Ministers, when this is necessary (1) to protect the safety of the province, (2) to prevent serious prejudice to one or more sections of the community, (3) to secure the fulfilment of Government liabilities for expenditure not subject to the vote of the legislature, (4) to carry out an order from the Government of India or the Secretary of State, and (5) to fulfil duties statutorily imposed upon him personally.

*The Punjab* : Safeguards are unnecessary. Other than by the over-riding powers of the Governor, there is no way of securing them.

*Bihar & Orissa* : It is impossible under present condition for the Governor to be merely a constitutional Governor. A limited power of interference should not hamper the growth of a sense of responsibility.

*Assam* : The Governor's powers of intervention in finance and legislation must be strictly parallel to his powers of interference in the executive field.

#### SECOND CHAMBERS.

*Bombay* : A second chamber is too costly and it would be difficult to secure a sufficient number of members for it.

*Madras* : Though it might perform many useful functions, it would dissipate too much the talent now available.

*Bengal* : These bodies are legislative, not executive. They are not in session for more than a small part of the year. They, therefore, provide no safeguard in the matter of daily administration.

*United Provinces* : There is no general agreement. Some members believe that a second chamber will obviate the use of the Governor's special powers, and relieve the anxieties provoked by a wide extension of the franchise. In the United Provinces there are classes from which such a chamber can suitably be constituted.

*The Punjab* (officials) : Balance of argument is against having a second chamber.

#### THE ARMY.

*Bombay* : The pace of Indianisation must be accelerated. The Commission's recommendations are not acceptable. They would make the attainment of Dominion Status an impossibility. Indian sentiment would prefer a Dominion army built up under the orders of the Commander-in-Chief.

*Madras* : Indianisation of Army should proceed far more rapidly than at present.

*Bengal* : The reasons advanced for the changes proposed by the Simon Report are insufficient. It is most desirable that the existing arrangements should not be altered at present.

*Central Provinces* : Indian sentiment is not in favour of an army divorced from the control of the Government. No army can function *in vacuo*. Indians would not barter their duty to defend themselves for an Imperial subsidy. The risk be taken of reducing some what the present crushing military expenditure so as to set free funds for "nation-building" purposes.

*United Provinces* : The Army must be adequate for defence and for many years to come British officers with Indian troops will be necessary.

*The Punjab* (officials) : The menace is a reality. For many years to come the Army must contain British troops and British officers serving with British units.

# Text of the Ordinances

## The News-sheets & Newspapers Ordinance 1930

The Unauthorised News-Sheets and Newspapers Ordinance 1930, being Ordinance no. 7 of 1930, was promulgated by H. E. the Viceroy on the 2nd. July 1930. The Viceroy, explaining the reasons, said :—

‘Since the issue of the Press Ordinance organized attempts have been made to defeat its provisions and continue the mischievous activities against which it was directed by the issue of bulletins and news-sheets produced by cyclostyle and other simple processes. These publications are devoted without disguise to the promotion of sedition, the dissemination of false and malicious news and instigation of the public to the defiance of law. Experience has shown that the remedies at present available against the publication of these bulletins and news-sheets are only partial and it has not been found possible to check effectively their output. This can only be done by taking power to forfeit copies of such news-sheets and of newspapers which have not complied with the provisions of the Press Ordinance and also to forfeit machines other than declared presses on which they are produced. I have accordingly felt it my duty to promulgate an Ordinance which will enable more effective and speedy control to be exercised in these matters. The Ordinance will not affect in any way any press or newspaper which conforms to the provisions of the Press Ordinance and of the Press and Registration of Books Act 1867, nor does it impose on them any fresh restriction. It includes a simple procedure whereby those who desire to publish news-sheets of an unobjectionable character may obtain the requisite authority. The Ordinance is a measure of emergency and will lapse when the Press Ordinance ceases to be in force.’

### TEXT OF THE ORDINANCE

The following is the text of the Ordinance :—

Whereas an emergency has arisen which makes it necessary to provide for the control of unauthorised news-sheets and newspaper now, therefore, in the exercise of the power conferred by section 72 of the Government of India Act, the Governor-General is pleased to make and promulgate the following Ordinance :

1. (1) This Ordinance may be called the Unauthorised News-Sheets and Newspapers Ordinance, 1930.

(2) It extends to the whole of British India inclusive of British Baluchistan, the Santhal Parganas and the Pargana of Spiti.

(3) It shall remain in force so long as the Indian Press Ordinance, 1930, remains in force.

2. In this ordinance unless there is anything repugnant in the subject or context :

(a) ‘newspaper’ means any periodical work containing public news or comments on public news ;

(b) ‘news-sheet’ means any non-periodical document containing public news or any matter described in sub-section 1 of Section 4 of the Indian Press Ordinance, 1930 ;

(c) ‘press’ and all machines, implements and plant and parts thereof and all materials used for multiplying documents ;

(d) ‘unauthorised newspaper’ means (1) any newspaper in respect of which there are not for the time being valid declarations under section 5 of the Press and Registration of Books Act, 1867, and (2) any newspaper in respect of which security has been required under the Indian Press Ordinance, 1930, but has not been furnished ;

(e) ‘unauthorised news-sheet’ means any news-sheet other than a news-sheet published by a person authorised under section 3 to publish it ;

(f) ‘undeclared press’ means any press other than a press in respect of which

there is for the time being a valid declaration under section 4 of the Press and Registration of Books Act, 1867; and

(g) 'document' and 'printing press' have the meaning assigned to them in the Indian Press Ordinance, 1930.

#### POWERS OF MAGISTRACY

3. (1) The Chief Presidency Magistrate or the District Magistrate may by order in writing authorise any persons by name to publish news-sheets from time to time.

(2) A copy of an order under sub-section (1) shall be furnished to the persons thereby authorised.

(3) The Chief Presidency Magistrate or District Magistrate may at any time revoke an order made by him under sub-section (1).

#### POWERS OF POLICE

4. (1) Any police officer may seize any unauthorised 'news-sheet or unauthorised newspaper wherever found.

(2) Any presidency magistrate, district magistrate, sub-divisional magistrate of the first class may by warrant authorise any police officer not below the rank of sub-inspector to enter upon and search any place where any stock of unauthorised news-sheets or unauthorised newspapers may be or may be reasonably suspected to be and such police officer may seize any documents found in such place which in his opinion are unauthorised news-sheets or unauthorised newspapers.

#### SEIZURE AND FORFEITURE

(3) All documents seized under sub-section (1) shall be produced as soon as may be before a presidency magistrate, district magistrate, sub-divisional magistrate or magistrate of the first class and documents seized under sub-section (2) shall be produced as soon as may be before the court of the magistrate who issued the warrant.

(4) If in the opinion of such magistrate or court any of such documents are unauthorised news sheets or unauthorised newspapers, the magistrate or court may cause them to be destroyed. If in the opinion of such magistrate or court any of such documents are not unauthorised news-sheets or unauthorised newspapers such magistrate or court shall dispose of them in the manner provided in sections 523, 524 and 525 of the Code of Criminal Procedure, 1898.

5. (1) Where a presidency magistrate, district magistrate or sub-divisional magistrate has reason to believe that an unauthorised news-sheet or unauthorised newspaper is being produced from an undeclared press within the limits of his jurisdiction he may by warrant authorise any police officer not below the rank of sub-inspector to enter upon and search any place wherein such undeclared press may be or may be reasonably suspected to be and if in the opinion of such police officer any press found in such place is an undeclared press and is used to produce an unauthorised news-sheet or unauthorised newspaper he may seize such press and any documents found in the place which in his opinion are unauthorised news-sheets or unauthorised newspapers.

(2) The police officer shall make a report of the search to the court which issued the warrant and shall produce before such court as soon as may be all the property seized provided that where any press which has been seized cannot be readily removed the police officer may produce before the court only such parts thereof as he may think fit.

(3) If such court, after such inquiry as it may deem requisite, is of opinion that a press seized under this section is an undeclared press which is used to produce an unauthorised news sheet or unauthorised newspaper it may, by an order in writing, declare the press to be forfeited to his Majesty. If after such inquiry the court is not of such opinion it shall dispose of the press in the manner provided in sections 523, 524 and 525 of the Code of Criminal Procedure, 1898.

(4) The court shall deal with the documents produced before it under this section in the manner provided in sub-section (4) of section 4.

6. Every warrant issued under this ordinance shall so far as it relates to a search be executed in the manner provided for the execution of Criminal Procedure, 1898.

## INDEMNITY FOR ANYTHING DONE IN GOOD FAITH

7. Every declaration of forfeiture purporting to be made under this ordinance shall, as against all persons, be conclusive evidence that the forfeiture has taken place, and no proceedings purporting to be taken under this ordinance shall be called in question by any court, and no civil or criminal proceedings shall be instituted against any person for anything done or in good faith intended to be done under this ordinance.

## Frontier Martial Law Ordinance 1930

H. E. the Viceroy and Governor-General issued on the *11th. August 1930* the eighth Ordinance to provide for the proclamation of martial law, to empower the authorities to make regulations for administering it, and to provide for other matters connected therewith and to be called the Martial Law Ordinance of 1930. It extends to the Districts of Peshawar of the N. W. F. Province, and may by notification be extended to any area in the Frontier Province.

Part I relating to the proclamation and enforcement of Martial Law comes into force at once in the Peshawar District.

The provisions of Part 2 regarding special courts come into force in the said district on such date as may be appointed in the notification.

### EXPLANATORY STATEMENT

The Viceroy in his explanatory statement recalled the facts about the Afridi attacks and said :—

Some villages in the area near the City and Cantonments have been deserted by their inhabitants through terror. From others the women and children have been sent to the city for refuge, while in others, the Afridis have received food, shelter and active assistance from some elements at least amongst the villagers. With the assistance of ill-disposed villagers, the tribesmen, though they are believed to have sustained considerable casualties, have generally been able to evade any decisive contact with the troops operating to evict them. The local authorities, civil and military, have represented the insufficiency of their powers under the ordinary law for dealing with the menace thus created, and have asked for the proclamation of martial law in the Peshawar District. They have, at the same time, represented that it is their desire that the proclamation of martial law in this area should be accompanied by the minimum of disturbance to the comfort and tranquillity of all peaceable citizens and by the least possible dislocation of the normal functions of the civil administration. After giving careful consideration to their representations, I have decided to accede to their request, and have accordingly, under the powers conferred upon me by Section 72 of the Government of India Act, promulgated an Ordinance which brings martial law into force in Peshawar District.

### Text of the Ordinance

The following is the text of the Ordinance :—

"1. Whereas an emergency has arisen which makes it necessary to provide for the proclamation of martial law, to empower the authorities to make regulations and issue orders to provide for the public safety and the restoration and maintenance of order, to authorise the trial of certain offences by special courts constituted under this Ordinance and to provide for other matters connected with the administration of martial law ;

Now, therefore, in exercise of the powers conferred by Section 72 of the Government of India Act, the Governor General is pleased to make and promulgate the following Ordinance :

(1) This Ordinance may be called the Martial Law Ordinance, 1930.

(2) It shall extend to the district of Peshawar on the North-West Frontier Province.

(3) This section and Part I shall come into force at once in the said district and the Governor-General in Council may, by notification in the "Gazette of India" direct

that the provisions of Part II or any of them shall come into force in the said district on such date as may be appointed in the notification.

(4) The Governor-General in Council may by notification in "The Gazette of India" extend this Ordinance to any area in the North-West Frontier Province other than that specified in Sub-Section (2), and thereupon this section and Part I shall come into force at once in the area. The Governor-General in Council may further, by like notification, direct that the provisions of Part II or any of them shall come into force in that area on such date as may be appointed in the notification.

2. In any area to which this Ordinance extends martial law shall be in force, and shall be proclaimed by such means and in such manner as the Local Government may direct and shall remain in force in any such area until withdrawn by the Governor-General in Council by notification in "The Gazette of India" whereupon the provisions of the Ordinance shall cease to apply in such area;

Provided that no failure to comply with any directions of the Local Government as to the manner of proclamation in any area shall invalidate anything done in the administration of martial law in pursuance of this Ordinance in that area;

And provided further that the validity of any sentences passed or of anything already done or suffered, or any liability incurred on indemnity granted, in accordance with the provisions of this Ordinance, shall not be affected by reason only of the fact that this Ordinance has ceased to be in force.

3. The Governor-General in Council may by notification in "The Gazette of India" in respect of any area to which this Ordinance extends, specify a date as being the date on which the emergency arose which made it necessary to proclaim martial law in that area.

4. (1) The General Officer Commanding-in-Chief, Northern Command, shall be the chief administering authority of martial law in all areas to which this Ordinance for the time being extends (such areas being hereinafter referred to as the martial law area).

(2) The General Officer Commanding-in-Chief may divide the martial law area into administration areas, and may appoint a district magistrate or an additional district magistrate or a military officer not below the rank of a Lieutenant Colonel, to be the administrator of martial law in each administration area.

(3) The General Officer Commanding-in-Chief may delegate any or all of his powers under this Ordinance to such person as he may select.

(5) (1) Regulations may be made in accordance with the provisions of this Ordinance to provide for the public safety and the restoration of peace and order and as to the powers and duties of the administrator, military officers and other persons in furtherance of that purpose.

#### POWER TO MAKE REGULATIONS

(2) The General Officer Commanding-in-Chief may make regulations for the whole martial law area, and an administrator may make regulations for the administration area to which he is appointed.

(3) A regulation made by an administrator shall not be inconsistent with any regulation made by the General Officer Commanding-in-Chief and a copy of every such regulation shall, as soon as may be, submitted to the general officer commanding in chief who shall have power to add to modify or rescind any such regulation in such way as he thinks fit.

(4) Where the General Officer Commanding-in-Chief has added to, modified or rescinded any regulation under subsection (3), he shall forthwith communicate the fact to the administrator who made the regulation, and such administrator shall thereupon cause to be published in the manner hereinafter, provided the regulation has been rescinded as the case may be.

(5) A regulation may provide that any contravention thereto shall be punishable with any punishment authorised by any law in force in any part of British India and any such contravention shall, for the purpose of this Ordinance, be deemed to be an offence against a regulation or an order as the case may be.

(6) The power to make regulations shall be subject to the following conditions, namely (1) in making any regulation, the authority making it shall interfere with the ordinary avocations of life as little as may be consonant with the exigencies of the measures which he deems to be required to be taken for the purposes of martial law. (2) Before making any regulation an administrator shall, if possible, consult the senior civil officer in direct charge of the administration area in which he ex-

ercises power but shall not be bound to follow his advice. And (4) the penalty, if any, for the contravention of a regulation shall be specified therein.

(7) The authority making a regulation shall cause any regulation made by him to be published in such manner as he thinks best fitted to bring it to the notice of those affected, and a copy of every regulation made under this ordinance shall be transmitted to the commander-in-chief in India.

6. (1) And the administrator may in writing, empower any Magistrate, or any Military Officer of seven years' service not below the rank of a Captain to make martial law orders in any part for the administration area for the purpose of supplying the regulations in that area, and the punishment for the contravention of any such order shall be that specified in the regulations for the contravention of a martial law order, provided that no order shall be made which is inconsistent with the regulations.

(2) Every Magistrate or officer making a martial law order, under sub-section (1) shall cause the same to be punished in such manner as he thinks best fitted to bring to the notice of those affected.

(3) A copy of every such order shall, as soon as may be, submitted to the administrator, who shall have power to add, to modify or rescind any such order in such way as he thinks fit.

(4) Where an administrator has added to, modified, or rescinded any order under sub-section, he shall forthwith communicate the fact to the Magistrate or officer who made the order, and such Magistrate or officer shall thereupon cause to be published in the manner herein-before mentioned, the order as so added to or modified or the fact that the order has been rescinded as the case may be.

7. (1) No person shall (a) communicate to the enemy or (b) with the intention of communicating it to the enemy, collect, publish or attempt to elicit any information with respect to the movements, numbers, description, condition or disposition of any of His Majesty's forces or of any police force engaged in the administering martial law or in restoring or maintaining of any military operations by any such forces or with respect to any works or measures undertaken for or connected with or intended for the purpose of any place.

(2) No person shall commit any act which is calculated to mislead or hamper the movements or imperil the success of any operations of His Majesty's forces or of any police force engaged in the administering martial law or in restoring or maintaining order.

(3) Any person who contravenes the provisions of sub-section (1) or sub-section (2), shall be deemed to have committed an offence under Section 121 of the Indian Penal Code.

(4) Any person who voluntarily assists or relieves with money, victuals or ammunition or knowingly harbours, protects or conceals any enemy, shall be punishable with rigorous imprisonment which may extend to ten years, or with fine or with both.

Explanation : For the purposes of this section, the expression "enemy" includes any mutineers, rebels, or rioters against whom operations are being carried out by His Majesty's forces or the police for the purpose of restoring or maintaining order in any area in which martial law is in force by or under the provision of this Ordinance.

8. Save as otherwise provided in this Ordinance, all offences punishable under this Ordinance shall be dealt with by the ordinary Criminal Courts exercising jurisdiction in the administration area in the ordinary course of law, and those courts are already empowered to try any offence against a regulation or martial law order which is not tried under the provisions of this Ordinance by a court constituted thereunder.

9. The ordinary Civil Court shall continue to exercise civil jurisdiction in the areas in which martial law is in force by or under this Ordinance, provided that no Civil Court shall exercise any jurisdiction by way of interference with any regulation or martial law order made under this Ordinance.

#### SENTENCE OF WHIPPING

10. Notwithstanding anything contained in this Ordinance or in any regulation made thereunder, no court, whether it be an ordinary Criminal Court or a court constituted under this Ordinance, shall pass a sentence of whipping for any offence against a regulation or martial law order, except where the offender has, in the commission of the offence, used Criminal force within the meaning of the Indian Penal Code.

11. Where any regulation or order is made or issued in area to which this Ordinance extends after the date notified in respect of that area under Section 3, and before the proclamation of martial law in that area under Section 2 by any officer acting in the exercise of military control for the purpose of providing for the public safety or the restoration or maintenance of order, contraventions of such regulation or order shall be deemed to be offences against a regulation or a martial law order in force in that area under this ordinance, and shall be triable and punishable as if any sentence, authorised by any such aforesaid regulation or order were a sentence authorised by a regulation under this ordinance.

12. Where in any area to which this ordinance extends after the date notified in respect of that area under Section 2, any sentence has been passed by any officer acting in the exercise of military control for the purpose of providing for the public safety or the restoration or the maintenance of order in respect of any contravention of a regulation or order made, issued within the same period by any such officer, such sentence shall be deemed to be as valid as if it were a sentence passed under this ordinance in respect of an offence against a regulation or a martial law order in force in that area under this ordinance.

13. No suit, prosecution or other legal proceeding, whatsoever, shall lie against any person for an account of or in respect of any Act, matter or thing ordered or done or purporting to have been ordered or done (a) under this ordinance or (b) in the exercise of military control in any area for the purpose of providing for the public safety or the restoration or maintenance of order after the date notified in respect of that area under section 3 and before the proclamation of martial law in that area under section 2; provided that nothing in this section shall prevent the institution of proceedings by or on behalf of the Government against any person in respect of any matter where such person has not acted in good faith and a reasonable belief that his action was necessary for the aforementioned purposes.

14. Nothing in this ordinance shall be construed as in derogation of any powers for the maintenance of law and order exercisable by the Governor-General in Council or any other authority.

## PART II

### SPECIAL COURTS

15. In this part "The Code" means the Code of Criminal Procedure 1898.

16. Courts of criminal jurisdiction may be constituted under this ordinance of the following classes, namely (1) special tribunals, (2) special judges, (3) special magistrates, (4) summary courts, (5) military courts.

17. A special tribunal may be constituted by the Local Government for one or more administration areas, and shall consist of three persons who shall be appointed by the Local Government. The President of the tribunal shall be a person who has acted or is acting as Judge of a High Court and the other two members shall be persons who have acted for a period of at least two years in the exercise of the powers of a Sessions Judge under the Code.

Explanation: For the purposes of this section, the expression "High Court" means any court which is a High Court for any of the purposes of the code.

18. Subject to the provisions of Section 38 a special tribunal shall try such offences as the Local Government, may by general or special order in writing direct.

19. (1) A special tribunal may take cognizance of offences without the accused being committed to it for trial, and in trying the accused persons, shall follow the procedure prescribed by the Code for the trying of warrant cases by Magistrates, provided that the special tribunal shall make a memorandum only of the substance of the evidence of each witness examined, and shall not be bound to adjourn any trial for any purpose unless such adjournment is, in its opinion, necessary in the interests of justice.

(2) A special tribunal shall have all the powers conferred by the Code on a court of session exercising original jurisdiction.

(3) In the event of any difference of opinion among the members of a special tribunal, the opinion of the majority shall prevail.

20. (1) Special tribunals may pass any sentence authorised by law or by regulations under this ordinance.

(2) When an accused person is sentenced to death by a special tribunal, the President shall inform him of the period within which, if he wishes to appeal, his appeal should be preferred.

21. An appeal shall lie in the case of any sentence, passed by a special tribunal,

of death or of transportation or imprisonment for a term of ten years or more, and the provisions of the Code and of the Indian Limitation Act 1908 shall apply in respect of such appeal as though it were an appeal under the said Code from a sentence passed by a court of session exercising jurisdiction in the administration area in which the offence was committed.

22. The Local Government may, by notification in the local official Gazette, make rules providing for;

(1) The times and places at which special tribunals may sit and (ii) The procedure of special tribunals including the powers of the President, and the procedure to be adopted in the event of the President or any member being prevented from attending throughout the trial of any accused person.

23. The Local Government may appoint to be a special judge for one or more administration areas any officer who has acted for a period of not less than two years in the exercise of the powers of a sessions judge under the Code.

24. (1) Subject to the provisions of Section 38, a special judge shall try such offences as the Local Government or an officer empowered by the Local Government in this behalf may by a general or special order in writing direct.

(2) A special judge shall follow the same procedure and shall have the same powers as a special tribunal follows and has under Sections 19 and 20.

25. An appeal shall lie in the case of any sentence passed by a special judge of death or transportation or imprisonment for a term of five years or more, and the provisions of the code and of the Indian Limitation Act 1908 shall apply in respect of such appeal, as though it were an appeal under the said Code from sentence passed by a court of session exercising jurisdiction in the administration area in which the offence was committed.

26. Any magistrate of the first class who has exercised the powers of a magistrate of the first class for a period of not less than two years may be invested by the Local Government with the powers of the special magistrate under this Ordinance.

27. Subject to the provisions of Section 38, a special magistrate shall try such offences other than offences punishable with death as the Local Government or an officer empowered by the Local Government in this behalf may by general or special order in writing direct.

28. In the trial of any case under this ordinance, a special magistrate shall follow the procedure laid down in Sub-Section (1) of Section 19 for the trial of cases by a special tribunal, and shall have all the powers conferred by the Code on a magistrate.

29. A special magistrate may pass any sentence which may be passed by the court of a magistrate specially empowered under Sec. 30 of the Code.

30. (1) Where a special magistrate passes a sentence of transportation or imprisonment for a term exceeding two years, an appeal shall lie to the special tribunal constituted for the area in which the offence was committed or if special tribunal has been so constituted, to the court to which an appeal would lie under the Code if the sentence had been passed by a court of session exercising jurisdiction in the administration area in which the offence was committed.

(2) An appeal under sub-section (1) shall be presented within seven days from the date of the sentence.

(3) In disposing of an appeal under the Section a special tribunal shall have the same powers as an appellate court under the Code.

31. If any question arises whether, under any order made under Sec. 18, Sec. 24, or Sec. 27, an offence is triable by a special tribunal, a special judge or a special magistrate, the question shall be referred for decision to the Local Government and its decision shall be final.

#### POWERS OF SUMMARY COURTS

32. An administrator may, by general or special order in writing, empower any magistrate appointed under the provisions of the code to exercise the powers of a summary court in any administration area specified in the order.

33. (1) Subject to the provisions of Sec. 38, a summary court shall have power to try such offence as the administrator may by general or special order direct, provided that no person shall be tried by a summary court for an offence which is punishable with imprisonment for a term exceeding five years.

(2) The administrator or any authority empowered by him in this behalf shall by a general or special order, give directions as to the distribution among the summary courts of cases triable by them under sub-section (1)



34. In the trial of any case, a summary court shall, as far as possible, follow the procedure laid down in the code for the trial of warrant cases, and shall have all the powers conferred by the Code on a magistrate; provided that the court shall not be required to record more than a memorandum of the evidence, or to frame a formal charge; and provided further that, in the trial of any offence punishable with imprisonment for a term not exceeding one year, the court may follow the procedure for the summary trial of cases in which an appeal lies laid down in Chapter XXII of the Code.

35. Summary courts may pass any sentence authorised by law or by the regulations under this Ordinance, provided that such courts shall not pass a sentence of imprisonment for a term exceeding two years or of fine exceeding Rs. 1,000.

36. (1) If a summary court is of opinion that the offence disclosed is one which it is not empowered to try, it shall send the case for trial to the special tribunal, special judge or special magistrate, or if no such court has been so empowered to an ordinary criminal court having jurisdiction.

(2) If the summary court is of opinion that an offence which it is empowered to try should be tried by a court of superior jurisdiction or that it requires a punishment in excess of which the summary court is empowered to inflict, it shall stay proceedings and report the case to the administrator who shall (a) direct that the case shall be tried by a summary court or (b) send it to an ordinary criminal court having jurisdiction or (c) if he is of opinion that it should be tried by a special judge or special magistrate, report it for the orders of the Local Government.

#### MILITARY COURTS

37. (1) Subject to the provisions of Section 38, the Administrator for any officer not below the rank of a field officer authorised by him by general or special order in this behalf, may, where in his opinion the exigencies of the situation require the adoption of this course for the purpose of restoring or maintaining order, by an order in writing direct that (a) any offence against Section 121, or Sec. 122 or Sec. 302 of the Indian Penal Code or (b) any offence punishable under this Ordinance or (c) any offence specified in this behalf by the Local Government with the previous sanction of the Governor-General in Council by notification in the local official Gazette or (d) any attempt to commit, or the abetment committed in any area to which this Ordinance extends, by any person captured or arrested after this part has come into force in that area, shall be tried by a military court to be convened by him.

(2) Subject to the provisions of this Ordinance, a military court for the purposes of such trial, shall be constituted in the same manner and shall exercise the same powers and follow the same procedure as a summary general court-martial convened under the Indian Army Act 1911 for the trial of a person subject to that Act who has on active service committed an offence under that Act. The provisions of the Indian Army Act and of the rules made thereunder shall apply to and govern all such proceedings; provided that any person exercising the powers of a Magistrate of the first class or a sessions judge may be appointed a member of a military court under this Ordinance, and provided further that a memorandum of the evidence given at the trial and the statement, if any, made by the accused shall always be recorded.

(3) The finding and sentence of a military court under this Ordinance, shall be subject to confirmation by the convening officer, provided that every sentence of death shall be reserved for confirmation by the General Officer Commanding-in-Chief.

38. (1) No court constituted under this ordinance shall try any offence unless such offence was (a) committed within an area to which this Ordinance extends, (b) committed after the date notified in respect of that area under Section 3, and (c) connected with the events which have necessitated the proclamation of the continuance of martial law.

(2) If any question arises whether or not an offence is an offence of the nature described in clause (c) of sub-section (1), the decision of the court taking cognisance of the case under the Ordinance, or in the case of a military court of the administrator, shall be conclusive on the point, and such decision shall not be questioned in any court.

39. Notwithstanding anything contained in this Ordinance, the Local Government may by general or special order appoint places outside the area in which martial law is in force at which any court constituted under this Ordinance may sit for the trial of offences.

## DEFENCE OF ACCUSED PERSONS

40. Every person accused of an offence before a court constituted under this Ordinance shall be entitled to be defended by a legal practitioner, provided that the court shall not be required to grant an appointment for the purpose of securing the attendance of a legal practitioner if, in the opinion of the court, such adjournment would cause unreasonable delay in the disposal of the case.

41. In the execution of any sentence of whipping passed by a court constituted under this Ordinance, only the provisions of sub-section (2) of section 392, and the provisions of Sections 393, 394 and 395 of the code shall apply, and every such sentence shall, as far as possible, be carried out in a place to which the public shall not be admitted.

42. No sentence, finding or order passed by a court constituted under this Ordinance shall be invalid by reason only of any error, omission or irregularity in any proceedings before or during the trial unless such error, omission or irregularity has, in fact, occasioned a failure of justice.

43. (1) Notwithstanding the provisions of the code or of any other law for the time being in force or anything having the force of law, there shall be no appeal from any order or sentence of a court constituted under this Ordinance; And save as aforesaid no court shall have authority to revise such order or sentence or to transfer any case from any such court or to make any order under Section 491 of the Code or have any jurisdiction of any kind in respect of any proceedings of any such, and save as provided in Section 37, no sentence shall be subject to confirmation.

(2) The power of the Governor-General in Council or the Local Government to make orders under Section 401 or Section 402 of the Code shall apply in respect of persons sentenced by courts constituted under this.

## The Unlawful Association Ordinance 1930.

On the 10th. October 1930 the Viceroy promulgated Ordinance no. IX of 1930 called the 'Unlawful Association Ordinance 1930' to make further provision against associations dangerous to the public peace. The statement explaining the reasons for enacting it ran :—

The civil disobedience movement has now been in progress for nearly six months. During that period its authors and supporters have done their utmost to subvert the Government as by law established and to propagate a spirit of defiance of constituted authority. They have incited ignorant and credulous people to open and organised breaches of law and have instigated them to refuse payment of public dues. They have attempted to undermine the loyalty of the army and the police and have been the cause, directly or indirectly, of numerous outbreak of violence. Its leaders have deliberately rejected the way of constitutional representation which lay open to them and have expressed their determination to continue their lawless action to the utmost of their ability. The movement has already been responsible for much loss of life and property and has inflicted grave financial injuries on many thousands of innocent persons, and have been forced against their will to submit to methods of coercion and intimidation employed.

### FORFEITURE OF PROPERTY

In view of the declared intention of the Congress to cause still greater damage and suffering to the public, I have considered it my duty to take such further powers as in the opinion of my Government will assist in checking the activities of various organisations through which effect is being given to the mischievous programme of the civil disobedience movement and other subversive movements. It has been represented to me and my Government that the provisions of the Criminal Law Amendment Act (Act no. XIV of 1908) are defective in so far as they do not enable possession to be taken of buildings and other's property used for the purpose of an association that has been declared to be unlawful under this Act.

In some parts of the country and more particularly in the districts of Gujarat, associations have established their headquarters in towns and villages from which supporters of the civil disobedience movement carry on their pernicious activities and seek to persuade the ignorant to defy the law and to refuse payment of Government dues. In these circumstances, I have thought it right to promulgate an ordinance which will enable the Government to take effective measures for the occupation of immovable property and for forfeiture in certain conditions of movable property used for the purpose of any association declared to be unlawful under the Criminal Law Amendment Act.

#### A MATTER OF GRACE—COMPENSATION

It is not my desire or that of my Government in so far as this may be avoided without detriment to the public and general interests which it is the purpose of the Ordinance to protect that unnecessary loss should be caused to individuals who may have disposed of their properties to organizations connected with the civil disobedience and other subversive movements and are not themselves supporters of these movements. With this object in view, I have caused to be issued to the local executive instructions which provide for the grant as a matter of grace of reasonable compensation to any person who has suffered loss from the occupation or forfeiture of his property and in regard to whom there is satisfactory ground for a belief that he has given direct or indirect support to the movement with which the unlawful association is connected. I have further requested the local Governments to consider with sympathy the return to third parties of the property occupied or attached under the Ordinance provided that it is not required for the purposes of the Government and that the third party concerned gives assurances to the satisfaction of the local Government in regard to its future use.

#### A WARNING

I desire, however, to make it clear that these instructions primarily relate to associations which are now unlawful or are declared to be unlawful immediately after the promulgation of this Ordinance and will not ordinarily extend to the case of property used for the purpose of any association that may thereafter be declared unlawful. All those whom it may concern should, therefore, take due warning against the lease or other deposition of property to any association or any person connected therewith, whose presence or future activities may render the association liable to be declared unlawful.

I greatly deplore the necessity by which I have been constrained to make and promulgate this Ordinance and other cognate measures of emergency, but I am persuaded that if the force of public opinion which is to an increasing extent being directed against the grave injury which the civil disobedience movement is causing to the country is exerted yet more effectively to resist its activities and to demand of those responsible for it that it shall be ended and if the public opinion is supported in this resolution by the action and conduct of individual citizens each in his respective sphere or interest, influence and responsibility, there will be speedy restoration of such conditions of order and tranquillity as may enable me to regard these measures as no longer necessary.

#### Text of the Ordinance

The following is the text of the Ordinance :—

Whereas an emergency has arisen which makes it expedient to make further provision against associations dangerous to the public peace.

Now, therefore, in exercise of the power conferred by section 72 of the Government of India Act, the Governor-General is pleased to make and promulgate the following Ordinance :—

1 (1) This Ordinance may be called the Unlawful Association Ordinance, 1930.

(2) This section and section 8 extend to the whole of British India including British Baluchistan and the Sonthal Parganas and the remaining provisions of this Ordinance shall extend only to such provinces or parts of provinces as the Governor-General in Council may by notification in the *Gazette of India* specify.

(3) This section and section 8 shall come into force at once and the remaining provisions of this Ordinance shall come into force in any area to which they have been extended on such date as the local Government may by notification in the local official Gazette appoint in this behalf and any such notification may relate to

the whole of the area to which the said provisions have been extended in the province or to any part of such area.

2. In this Ordinance unless there is anything repugnant in the subject or context

(a) 'Magistrate' means in a presidency town the chief presidency magistrate and elsewhere the district magistrate;

(b) 'Notified place' means a place notified under sub-section (1) of section 3;

(c) 'Place' includes also a house, building, tent and vessel, and

(d) 'Unlawful association' means an unlawful association within the meaning of section 15 of the Indian Criminal Law Amendment Act, 1908.

3 (1) The local Government may by notification in the local official Gazette notify any place which in its opinion is used for the purposes of an unlawful association.

(2) The magistrate or any officer authorised in this behalf in writing by the magistrate may thereupon take possession of the notified place and evict therefrom any person found therein and shall forthwith make a report of the taking of possession to the local Government.

(3) A notified place whereof possession is taken under sub-section (2) shall be deemed to remain in the possession of Government so long as the notification under sub-section (1) in respect thereof remains in force.

4. (1) The magistrate or officer taking possession of a notified place shall also take possession of all movable property found therein and shall make a list thereof and submit it with a report of the taking of possession of such movable property to the local Government.

(2) If in the opinion of the local Government any articles specified in the list are or may be used for the purposes of the unlawful association, it may by order in writing declare such articles to be forfeited to His Majesty and may give such directions for the disposal thereof as it may think fit.

(3) All articles specified in the list which are not so forfeited shall be deemed to remain in the possession of Government so long as the notified place in which they were found remains in the possession of Government and such articles may be used in such manner as the magistrate may direct.

5. Any person who enters or remains upon a notified place without the permission of the magistrate or of an officer authorised by him in this behalf shall be deemed to commit criminal trespass and notwithstanding anything contained in the Code of Criminal Procedure, 1898, any such offence of criminal trespass shall be cognizable and non-bailable.

6. Before this Ordinance ceases to have effect or before a notification under sub-section (1) of section 3 is cancelled, the local Government shall give such general or special directions as it may deem requisite for regulating the relinquishment by Government of possession of notified places and of moveable property found thereon which has not been forfeited to his Majesty.

7. Every report of the taking of possession of property and every declaration of forfeiture made or supporting to be made under this Ordinance shall as against all persons be conclusive proof that the property specified therein has been taken possession of by Government or has been forfeited as the case may be and no proceeding purporting to be taken under this Ordinance shall be called in question by any court and no civil or criminal proceeding shall be instituted against any person for anything done or in good faith intended to be done under this Ordinance or against Government or any person acting on behalf of or by authority of Government for any loss or damage caused to or in respect of any property whereof possession has been taken by Government under this Ordinance.

8. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, all offences punishable under sub-section (1) of section 17 of the Indian Criminal Law Amendment, 1908, shall be cognizable and non-bailable.

## **Press & unauthorised News-sheet & News-paper Ordinance 1930**

Ordinances X and XI were promulgated by His Excellency Lord Irwin on the 23rd. December 1930, the former to provide for the better control of the press and of unauthorised news-sheets and news-papers, the other to provide against instigation and refusal of payment of certain liabilities.

The following is His Excellency Lord Irwin's statement of objects and reasons appended to Ordinance X regarding the press and newspapers :—

When I promulgated the Press Ordinance on the 27th April, 1930, I said that, whatever might have been the professed objects of those who launched the civil disobedience movement, it was rapidly developing into violent resistance to constituted authority. The events during the months that have since passed have sufficiently proved the truth of the apprehensions I then expressed, and it is only by vigorous action and constant vigilance that control of the situation has been maintained. But though the measures taken by the Government, combined with the growing recognition by the public of the dangers with which the movement is fraught, have averted more serious consequences that might have been anticipated, the activities of those responsible for the movement are still manifest in the continued efforts that are being made to challenge the authority of constituted Government and which are a grave menace to the public tranquility.

At the sametime there has lately been a serious increase in premeditated crimes committed by those who have rejected the method of non-violence. There is no room for doubt that inflammatory writings in the press both stimulate recruitment to the revolutionary movement and incite the commission of violent crimes.

With the expiry of the Press Ordinance on the 26th October last, it was my hope and that of my Government that the press would observe such reasonable restraint as would make it unnecessary to restore the powers that had lapsed. I regret that those hopes have been disappointed and that it is again necessary to resort to special measures. I regret this the more because it is my earnest hope, and it is that of my Government, that the deliberations now proceeding in London may bring to India a permanent solution of her political troubles and I trust that it may be possible to dispense with these special powers at no distant date. But since the lapse of the earlier Ordinance there has been a progressive deterioration in the tone of the press and this has been particularly marked during the past few weeks.

It is again the policy of many newspapers consistently to encourage the civil disobedience movement and thus to foster conditions of disorder, while others which suspended publication while the Ordinance was in force are again giving direct or indirect incitement to violent or revolutionary crime. I am satisfied that writings of this nature are material factors in the creation of the state of emergency which exists and in regard to which it is my duty to take special powers. I have accordingly promulgated an Ordinance for the better control of the press and of unauthorised news-sheets and newspapers.

It is not my desire that the Ordinance should restrict the just liberties of the press or should check fair criticism of the administration or of constitutional proposals, nor is it my desire that action should be taken under this Ordinance in regard to writings published previous to its promulgation, and I have caused the necessary instructions in this respect to be issued to the local Governments.

I regret that, having regard to the urgent necessity of taking measures to meet the present situation, I have not thought it possible to await the meeting of the central Legislature, but it is the intention of my Government to bring the matter before it at the earliest opportunity.

#### **Text of the Ordinance.**

The following is the text of Ordinance X (regarding the press) :—

Whereas an emergency has arisen which makes it necessary to provide for the better control of the press and of unauthorised news-sheets and newspapers :

Now, therefore, in exercise of the power conferred by sec. 72 of the Government of India Act, the Governor-General is pleased to make and promulgate the following Ordinance :—

#### **SHORT TITLE AND EXTENT**

1. (1) This Ordinance may be called the Press and Unauthorised News-Sheets and Newspapers Ordinance, 1930.
- (2) It extends to the whole of British India, inclusive of British Baluchistan and the Santhal Parganas.

## DEFINITIONS,

2. In this Ordinance, unless there is anything repugnant in the subject or context
- (1) 'Book' includes every volume, pamphlet or leaflet in any language and every sheet of music, map, chart or plan separately printed or lithographed ;
- (2) 'Document' includes also any painting, drawing or photograph or other visible representation ;
- (3) 'High Court' means the highest civil court of appeal for any local area, except in the case of the province of Coorg, where it means the High Court of Judicature at Madras ;
- (4) 'Magistrate' means a district magistrate or chief presidency magistrate ;
- (5) 'Newspaper' means any periodical work containing public news or comments on public news ;
- (6) 'News-sheet' means any non-periodical document containing public news or comments on public news or any matter described in sub-section (1) of sec 4 ;
- (7) 'Press' includes a printing press and all machines, implements and plant and parts thereof and all materials used for multiplying documents ;
- (8) 'Printing Press' includes all engines, machinery, types, lithographic stores, implements, utensils and other plant or materials used for the purpose of printing ;
- (9) 'Unauthorised Newspaper' means (a) any newspaper in respect of which there are not for the time being valid declarations under sec. 5 of the Press and Registration of Books Act, 1867, and (b) any newspaper in respect of which security has been required under this Ordinance but has not been furnished ;
- (10) 'Unauthorised News-sheet' means any news-sheet other than a news-sheet published by a person authorised under sec. 15 to publish it ;
- (11) 'Undeclared Press' means any press other than a press in respect of which there is for the time being a valid declaration under section 4 of the Press and Registration of Books Act, 1867.

## CONTROL OF PRINTING PRESSES.

3 (1) Every person keeping a printing press who is required to make a declaration under section 4 of the Press and Registration of Books Act, 1867, shall at the time of making the same, deposit with the magistrate before whom the declaration is made security to such an amount, not being less than Rs. 500 or more than Rs. 2,000, as the magistrate may in each case think fit to require in money or the equivalent thereof in securities of the Government of India ; provided that the magistrate may, if he thinks fit, for special reasons to be recorded by him, dispense with the deposit of any security ; provided further that if a deposit has been required under sub-section (3) from any previous keeper of the printing press, the security which may be required under this sub-section may amount to Rs. 5000.

(2) The magistrate may at any time cancel an order dispensing with security and require security to be deposited, and he may at any time vary any order fixing the amount of security under this sub-section or under sub-section (1).

(3) Whenever it appears to the local Government that any printing press kept in any place in the territories under its administration in respect of which a declaration was made prior to the commencement of this Ordinance under section 4 of the Press and Registration of Books Act, 1867, is used for any of the purposes described in section 4 sub-section (1), the local Government may, by notice in writing, require the keeper of such press to deposit with the magistrate within whose jurisdiction the press is situated security to such an amount, not being less than Rs. 500 or more than Rs. 5,000, as the local Government may think fit to require, in money or the equivalent thereof in securities of the Government of India.

## POWER TO DECLARE SECURITY FORFEITED IN CERTAIN CASES

4 (1) Whenever it appears to the local Government that any printing press in respect of which any security has been deposited as required by section 3 is used for the purpose of printing or publishing any news-paper, book or other document containing any words, signs or visible representations which are likely or may have a tendency, directly or indirectly, whether by inference, suggestion, allusion, metaphor, implication or otherwise, (a) to incite to murder or to any offence under the Explosive Substances Act, 1901, or to any act of violence, or (b) to seduce any officer,

soldier, sailor or airman in the Army, Navy or Air Force of His Majesty or any police officer from his allegiance or his duty ; (c) to bring into hatred or contempt His Majesty or the Government established by law in British India or any Indian Prince or Chief under the suzerainty of His Majesty or any class or section of His Majesty's subjects in British India, or to excite disaffection towards His Majesty or the said Government or any such prince or chief ; or (d) to put any person in fear or to cause annoyance to him and thereby induce him to deliver to any person any property or valuable security or to do any act which he is not legally bound to do or to omit to do any act which he is legally entitled to do ; or (e) to encourage or incite any person to interfere with the administration of the law or with the maintenance of law and order or to commit any offence or to refuse or defer payment of any land revenue, tax, rate, cess or other due or amount payable to the Government or to any local authority or any rent of agricultural land or anything recoverable as arrears of or along with such rent ; or (f) to induce a public servant or a servant of a local authority to do any act or to forbear or delay to do any act connected with the exercise of his public functions or to resign his office ; or (g) to promote feelings of enmity or hatred between different classes of His Majesty's subjects ; or (h) to prejudice the recruiting of persons to His Majesty's forces or in any police force or to prejudice the training, discipline or any such force ;

The local Government may by notice in writing to the keeper of such printing press stating or describing the words, signs or visible representations which in its opinion are of the nature described above, declare the security deposited in respect of such press or any portion thereof and all copies of such newspaper, book or other document, wherever found in British India, to be forfeited to His Majesty.

*Explanation I*—In clause (c) 'the expression disaffection' includes disloyalty and all feelings of enmity.

*Explanation II*—Comments expressing disapproval of the measures of the Government or of any such Indian Prince or Chief as aforesaid, with a view to obtain their alteration by lawful means or of the administrative or other action of the Government or of any such Indian Prince or Chief or of the administration of justice in British India, without exciting or attempting to excite hatred, contempt or disaffection, do not come within the scope of clause (c).

(2) After the expiry of 10 days from the date of the issue of a notice under sub-section (1), the declaration made in respect of such press under sec. 4 of the Press and Registration of Books Act, 1867, shall be deemed to be annulled.

#### DEPOSIT OF FURTHER SECURITY

5. (1) Where the security given in respect of any press or any portion thereof has been declared forfeited under sec. 4, every person making a fresh declaration in respect of such press under sec. 4 of the Press and Registration of Books Act, 1867, shall deposit with the magistrate before whom such declaration is made security to such an amount, not being less than Rs. 1,00 or more than Rs. 10,000, as the magistrate may think fit to require in money or the equivalent thereof in securities of the Government of India.

(2) Where a portion only of the security given in respect of such press has been declared forfeited under sec. 4, any unforfeited balance still in deposit shall be taken as part of the amount of security required under sub-section (1).

#### POWER TO DECLARE FURTHER SECURITY

6. If after such further security has been deposited the printing press is again used for the purpose of printing or publishing any newspaper, book or other document containing any words, signs or visible representations which in the opinion of the local Government are of the nature described in sec. 4. sub-section (1), the local Government may, by notice in writing to the keeper of such printing press stating or describing such words, signs or visible representations, declare (a) the further security so deposited or any portion thereof, (b) the printing press used for the purpose of printing or publishing such newspaper, book or other document or found in or upon the premises where such newspaper, book or other document is, or at the time of printing the matter complained of was printed, and (c) all copies of such newspaper, book or other document, wherever found in British India, to be forfeited to His Majesty.

## DEPOSITE OF SECURITY BY PUBLISHER OF NEWSPAPER

7(1) Every publisher of a newspaper who is required to make a declaration under sec. 5 of the Press and Registration of Books Act, 1867, shall, at the time of making the same, deposit with the magistrate before whom the declaration is made security to such an amount, not being less than Rs. 500 or more than Rs. 2,000, as the magistrate may in each case think fit to require, in money or the equivalent thereof in securities of the Government of India ; provided that the magistrate may, if he thinks fit for special reasons to be recorded by him, dispense with the deposit of any security ; provided further that if a deposit has been required under sub-section (3) from any previous publisher of the newspaper, the security which may be required under this sub-section may amount to Rs. 5000.

(2) The magistrate may at any time cancel and order dispensing with security and require security to be deposited, and he may at any time vary any order fixing the amount of security under this sub-section or under sub-section (1).

(3) Whenever it appears to the local Government that a newspaper published within its territories in respect of which a declaration was made by the publisher thereof, prior to the commencement of this Ordinance, under sec 5 of the Press and Registration of Books Act, 1867, contains any words, signs or visible representations of the nature described in sec. 4, sub-section (1), the local Government may, by notice in writing, require the publisher to deposit with the magistrate within whose jurisdiction the newspaper is published, security to such an amount, not being less than Rs. 500 or more than Rs. 5,000, as the local Government may think fit to require in money or the equivalent thereof in securities of the Government of India.

## POWER TO DECLARE SECURITY FORFEITED IN CERTAIN CASES.

8. (1) If any newspaper in respect of which any security has been deposited as required by sec. 7 contains any words, signs or visible representations which in the opinion of the local Government may, by notice in writing to the publisher of such newspaper stating or describing such words, signs or visible representations, declare such security or any portion thereof and all copies of such newspaper, wherever found in British India, to be forfeited to His Majesty.

(2) After the expiry of 10 days from the date of the issue of a notice under sub-section (1), the declaration made by the publisher of such newspaper under section 5 of the Press and Registration of Books Act, 1867, shall be deemed to be annulled.

## DEPOSIT OF FURTHER SECURITY

9. (1) Where the security given in respect of any newspaper or any portion thereof is declared forfeited under section 8 or section 10, any person making a fresh declaration under section 5 of the Press and Registration of Books Act, 1867, as publisher of such newspaper or any other newspaper which is the same in substance as the said newspaper, shall deposit with the magistrate before whom the declaration is made, security to such an amount, not being less than Rs. 1,000 or more than Rs. 10,000 as the magistrate may think fit to require, in money or the equivalent thereof in securities of the Government of India.

(2) Where a portion only of the security given in respect of such newspaper has been declared forfeited under section 8 or section 10, any unforfeited balance still in deposit shall be taken as part of the amount of security required under sub-section (1).

## POWER TO DECLARE FURTHER SECURITY AND NEWSPAPER FORFEITED

10. (1) If after such further security has been deposited the newspaper again contains any words, signs or visible representations which in the opinion of the local Government are of the nature described in sec. 4 sub-section (1), the local Government may, by notice in writing to the publisher of such newspaper stating or describing such words, signs or visible representations, declare (a) the further security so deposited or any portion thereof and (b) all copies of such newspaper, wherever found in British India, to be forfeited to His Majesty.

(2) After the expiry of 10 days from the date of the issue of a notice under sub-section (1), the declaration made by the publisher of such newspaper under sec. 5 of the Press and Registration of Books Act, 1867, shall be deemed to be annulled



and no further declaration in respect of such newspaper shall be made save with the permission of the local Government.

*Penalty for keeping a press or publishing a newspaper without making a deposit.*

11. (1) Whoever keeps in his possession a press for the printing of books or papers without making a deposit under sec. 3 or sec. 5 when required so to do, shall, on conviction by a magistrate, be liable to the penalty to which he would be liable if he had failed to make the declaration prescribed by sec. 4 of the Press and Registration of Books Act, 1867.

(2) Whoever publishes any newspaper without making a deposit under sec. 7 or sec. 9 when required so to do, or publishes such newspaper knowing that such security has not been deposited, shall, on conviction by a magistrate, be liable to the penalty to which he would be liable if he had failed to make the declaration prescribed by sec. 5 of the Press and Registration of Books Act, 1867.

12. (1) Where a deposit is required from the keeper of a printing press under sub-section (1) sub-section (3) or sec. 3 or under sec. 5 such press shall not be used for the printing or publishing of any newspaper, book or other document until the deposit has been made.

(2) Where any printing press is used in contravention of sub-section (1) the local Government may by notice in writing to the keeper thereof declare the press so used and any other printing press found in or upon the premises where such press was so used to be forfeited to his Majesty.

13. Where any person has deposited any security under this Ordinance and ceases to keep the press in respect of which such security was deposited or being a publisher makes a declaration under sec. 8 of the Press and Registration of Books Act 1867 he may apply to the magistrate within whose jurisdiction such press is situated for the return of said security, and thereupon such security shall upon proof to the satisfaction of the magistrate and subject to the provisions hereinbefore contained, be returned to such person.

14. Where any printing press, or any copies, any newspaper, book or other document are declared forfeited to his Majesty under sec. 4, sec 6, sec 8, sec. 10, sec. 12, the local Government may direct a magistrate to issue a warrant empowering any police officer not below the rank of sub-inspector to seize and detain any property ordered to be forfeited and to enter upon and search for property in any premises (1) where any such property may be or may be reasonably suspected to be, or (2) where any copy of such newspaper, book or other document is kept for sale, distribution, publication or public exhibition or is reasonably suspected to be so kept.

15 (1) The Magistrate may, by order in writing and subject to such conditions as he may think fit to impose, authorise any person by name to publish a news-sheet or to publish news-sheets from time to time.

(2) A copy of an order under subsection (1) shall be furnished to the person thereby authorised.

(3) The magistrate may at any time revoke an order made by him under subsection (1).

#### POWER TO SEIZE AND DESTROY UNAUTHORISED NEWS-SHEETS AND NEWSPAPERS.

16 (1) Any police officer or any other person empowered in this behalf by the local Government may seize any unauthorised news-sheet or unauthorised newspaper wherever found.

(2) Any presidency magistrate, district magistrate, sub divisional magistrate or magistrate of the first class may by warrant authorise any police officer not below the rank of sub-inspector to enter upon and search any place where any stock of unauthorised news-sheet or unauthorised newspaper may be, or may be reasonably suspected to be and such police officer may seize any documents found in such place which in his opinion are unauthorised news-sheets or unauthorised newspapers.

(3) All documents seized under sub-section (1) shall be produced as soon as may be before a presidency magistrate, district magistrate or a magistrate of the first class and all documents seized under sub-section (2) shall be produced as soon as may be before the court of the magistrate who issued the warrant.

(4) If, in the opinion of such magistrate or court, any such documents are authorised news-sheets or authorised newspapers, the magistrate or court may cause them to

be destroyed. If, in the opinion of such magistrate or court, any such documents are not authorised news-sheets or unauthorised newspapers, such magistrate or court shall dispose of them in the manner provided in secs. 523, 524 and 525 of the Code of Criminal Procedure, 1898.

**POWER TO SEIZE AND FORFEIT UNDECLARED PRESS PRODUCING UNAUTHORISED NEWS-SHEETS AND NEWSPAPERS.**

17. (1) Where presidency magistrate, district magistrate or sub-divisional magistrate has reason to believe that an unauthorised news-sheet or unauthorised newspaper is being produced from an undeclared press within the limits of his jurisdiction, he may by warrant authorise any police officer not below the rank of sub-inspector to enter upon and search any place wherein such undeclared press may be, and if in the opinion of such police officer any press found in such place is an undeclared press and is used to produce unauthorised news-sheet or unauthorised newspaper, he may seize such press and any documents found in the place which, in his opinion, are unauthorised news-sheets or unauthorised newspapers.

(2) The police officer shall make a report of the search to the court which issued the warrant and shall produce before such court, as soon as may be, all the property seized; provided that where any press which has been seized cannot be readily removed, the police officer may produce before the court only such parts thereof as he may think fit.

(3) If such court, after such inquiry as it may deem requisite, is of opinion that a press seized under this section is an undeclared press which is issued to produce an unauthorised news-sheet or unauthorised newspaper, it may by an order in writing, declare the press to be forfeited to his Majesty. If, after such inquiry, the court is not of such opinion, it shall dispose of the press in the manner provided in secs. 524 and 525 of the code of Criminal Procedure, 1898.

(4) The court shall deal with the documents produced before it under this section in the manner provided in sub-section (4) of sec. 16.

18. (1) Whoever makes, sells, distributes, publishes or publicly exhibits or keeps for sale, distribution or publication of any unauthorised news-sheet or newspaper shall be punishable with imprisonment which may extend to six months or with fine or with both.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, any offence punishable under sub-section (1) and any abetment of any such offence shall be cognisable and non-bailable.

19. Where any newspaper, book or other document, wherever made, appears to the local Government to contain any words, signs or visible representations of the nature described in sec. 4, sub-section (1), the local Government may, by notification in the local official Gazette, stating the grounds of its opinion, declare every copy of the issue of the newspaper and every copy of such book or other document to be forfeited to his Majesty, and thereupon any police officer may seize the same wherever found in British India, and any magistrate may by warrant authorise any police officer not below the rank of sub-inspector to enter upon and search for the same in any premises where any copy of such issue or any such book or other document may be or may reasonably be suspected to be.

20. The chief customs officer or any other authorised by the local Government in this behalf may detain any package brought, whether by land, sea or air, into British India which he suspects to contain any newspapers, books or other document of the nature described in sec. 4 sub-section (1), and shall forthwith forward copies of any newspapers, books or other documents found therein to such officer as the local Government may appoint in this behalf, to be disposed of in such manner as the local Government may direct.

21. No unauthorised news-sheet or unauthorised newspaper shall be transmitted by post.

22. Any officer in charge of a post-office or authorised by the postmaster-general in this behalf may detain any article other than a letter or parcel in the course of transmission by post, which he suspects to contain (a) any newspaper, book or other document containing words, signs or visible representations of the nature described in sec. 4, sub-section (1), or (b) any authorised news-sheet or unauthorised newspaper, and shall deliver

all such articles to such officer as the local Government may appoint in this behalf to be disposed of in such manner as the local Government may direct.

#### POWERS OF HIGH COURT

23. Any person having an interest in any property in respect of which an order of forfeiture has been made under sec. 4, sec. 6, sec. 8, sec. 10 or sec. 19 may, within two months from the date of such order apply to the High Court for the local area in which such order was made to set aside such order on the ground that the newspaper, book or other document in respect of which the order was made did not contain any words, signs or visible representations of the nature described in sec. 4, sub-section (1).

#### HEARING BY SPECIAL BENCH

24. Every such application shall be heard and determined by a special bench of the High Court composed of three judges, or, where the High Court consists of less than three judges, of all the judges.

25 (1) If it appears to the special bench that the words, signs or visible representations contained in the newspaper, book or other document in respect of which the order in question was made were not of the nature described in sec. 4, sub-section (1), the special bench shall set aside the order of forfeiture.

(2) Where there is a difference of opinion among the judges forming the special bench, the decision shall be in accordance with the opinion of the majority (if any) of those judges.

(3) Where there is no such majority which concurs in setting aside the order in question, such order shall stand.

#### EVIDENCE TO PROVE NATURE OR TENDENCY OF PAPER.

26. Any copy of such newspaper published after the commencement of this Ordinance may be given in evidence in aid of the proof of the nature or tendency of the words, signs or visible representations contained in such newspaper in respect of which the order of forfeiture was made.

#### PROCEDURE IN HIGH COURT.

27. Every High Court shall, as soon as conveniently may be, frame rules to regulate the procedure in the case of such applications, the amount of the costs thereof and the execution of orders passed thereon, and until such rules are framed the practice of such court in proceedings other than suits and appeals shall apply so far as may be practicable to applications.

#### SUPPLEMENTAL SERVICE OF NOTICES

28. Every notice under this Ordinance shall be sent to a magistrate who shall cause it to be served in the manner provided for the service of summonses under the Code of Criminal Procedure, 1898, provided that if service in such manner cannot by the exercise of due diligence be effected, the serving officer shall, where the notice is directed to the keeper of a press, affix a copy thereof to some conspicuous part of the place where the press is situated as described in the keeper's declaration under sec. 4 of the Press and Registration of Books Act, 1867 and where the notice is directed to the publisher of a newspaper, to some conspicuous part of the premises where the publication of such newspaper is conducted as given in the publisher's declaration under sec. 5 of the said Act and thereupon the notice shall be deemed to have been duly served.

29. Every warrant issued under this Ordinance shall, so far as it relates to a search, be executed in the manner provided for the execution of search warrants under the Code of Criminal Procedure 1898

#### JURISDICTION BARRED.

30. Every declaration of forfeiture purporting to be made under this Ordinance shall, as against all persons, be conclusive evidence that forfeiture therein referred to has taken place and no proceedings purporting to be taken under this Ordinance shall be called in question by any courts except the High Court on an application under sec. 23, and no civil or criminal proceedings shall be instituted against any person for anything done, or in good faith intended to be done, under this Ordinance.

## OPERATION OF OTHER LAWS NOT BARRED

31. Nothing herein contained shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Ordinance.

32. So long as this Ordinance remains in force, all declarations required to be made under sec. 4, sec. 5, sec. 8 and sec. 8A of the Press and Registration of Books Act, 1867, shall be made in a presidency town before the chief presidency magistrate and elsewhere before the district magistrate.

## Unlawful Instigation (2nd.) Ordinance

The following is the text of H. E. the Viceroy's statement appended to Ordinance XI regarding non-payment of liabilities :—

In stating the reasons for which I conceived it to be my duty to promulgate an Ordinance for the better control of the press, I have made it clear that activities in pursuance of the civil disobedience movement have created a state of affairs by which the public tranquillity is threatened. It is part of the programme of those who direct the movement to bring the administration to a standstill by inducing revenue and tax-payers to withhold payments due to the Government. From time to time attempts have been made to give effect to this plan in various parts of the country and for some months past there has been a continuous refusal on the part of landholders in certain areas of Gujarat to pay land revenue. This disavowal of obligations has been organised and instigated by volunteers working in aid of the civil disobedience movement, and it is their particular object at the present time to obstruct the recovery of the instalment of land revenue which is now in process of collection. I have also received information that within the past few weeks a similar campaign has been definitely launched in the United Provinces with the approval of the Congress leaders and that active propaganda is now being carried on in many villages of that province in furtherance of the civil disobedience movement and with a view to the refusal of revenue and rent. I am further satisfied that elsewhere attempts have lately been renewed to persuade those liable for the payment of chaukidari tax to withhold their dues.

Were the efforts now being made in different parts of the country to meet with any considerable measure of success, the consequences to the administration would be grave. The law gives adequate powers to proceed against those who although able to do so, contumaciously refuse to pay their public duties, but it does not provide the means by which action can be taken against those who for political ends cause loss and suffering to the tax or revenue payers by instigating them to withhold payments legally due. Having regard, therefore, to the general spirit of lawlessness fostered by the civil disobedience movement and to the particular danger to the state involved in the refusal to pay public dues, I have considered it necessary to promulgate an Ordinance by which the local Governments may, as circumstances require, take action against persons who instigate others to refuse the fulfilment of certain lawful obligations.

When I promulgated a similar Ordinance on the 30th of May last, I stated that the powers then taken would not be used by the local Governments to modify their revenue policy or to attenuate in any way the concession, by way of suspension, remissions or otherwise, which it is their practice to grant, and that, further, the Ordinance would not be used indirectly to give assistance to landholders in the normal process of realisation of rent or to facilitate enhancement of rent. I stated that it would be confined strictly to its declared purpose, namely, to prevent instigation, in pursuance of the political movement, to refuse payments lawfully due. I desire on this occasion to repeat those assurances. I am very conscious of the fact that the economic conditions in rural areas are a cause of much anxiety to those who are

dependent on agriculture, and I know that the local Government are giving their most careful consideration to the problems created by the low values of agricultural produce. In promulgating this Ordinance, it is my desire that the difficulties in which the land-owners and cultivators are placed shall not be increased by the mischievous activities of persons who are seeking to take advantage of the economic conditions for their own ends, regardless of the consequence to those whom they propose to mislead.

It is also my desire that the task of local Governments in giving such relief as is possible to genuine economic distress shall not be complicated or confused by the intervention of issues which are introduced for the sole purpose of embarrassing orderly administration. No person need have any cause for fear that the Ordinance will be used for other than the purposes above stated, and I look with confidence to the public to give their co-operation and support against a movement the object of which is to make it impossible for the Government to continue their ordinary function on which depends the maintenance of order and the stability of the social system.

I regret that the urgent nature of the emergency in regard to which this Ordinance is promulgated has not allowed the matter to be brought at this state before the central Legislature, but it is the intention of my Government to bring it before the central Legislature at the earliest opportunity.

### Text of the Ordinance

The following is the text of the Unlawful Instigation (Second) Ordinance :—

Whereas an emergency has arisen which makes it necessary to provide against instigation to the illegal refusal of the payment of certain liabilities ;

Now, therefore, in exercise of the powers conferred by sec. 72 of the Government of India Act, the Governor-General is pleased to make and promulgate the following Ordinance :—

#### SHORT TITLE AND EXTENT

1. (1) This Ordinance may be called the Unlawful Instigation (Second) Ordinance 1930.

(2) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas.

2 (1) The Governor-General in Council may, by notification in the Gazette of India, empower any local Government to make declarations under sub-sections (2) and (3).

(2) A local Government empowered in this behalf, may, by notification in any local official Gazette, declare that any part of the province or the whole province shall be a notified area for the purposes of this Ordinance.

(3) Such local Government may further, by the same or by subsequent notification, declare that in such notified area, land revenue or any sum recoverable as arrears of land revenue or any tax, rate, cess or other due or amount payable to the Government or to any local authority or rent of agricultural land or anything recoverable as arrears of or along with such rent, shall be a notified liability.

3. Whoever, by words either spoken or written or by signs or by visible representations or otherwise, instigates, expressly or by implication, any person or class of persons not to pay or to defer payment of any notified liability and whoever does any act with the intent or knowing it likely that any words, signs or visible representations containing such instigation shall thereby be communicated, directly to any person or class of persons in a notified area in any manner whatsoever, shall be punishable with imprisonment which may extend to six months or with fine or with both,

4. (1) Notwithstanding anything contained in the Code of Criminal Procedure 1893 an offence punishable under this Ordinance shall be cognisable and non-bailable.

(2) No magistrate shall take cognisance of any offence punishable under this Ordinance except upon a report in writing of the facts which constitute such offence made by a police officer not below the rank of sub-inspector.

Proceedings of  
The Working Committee  
of the  
All-India Congress Committee.

# The All India Congress Committee

## Proceedings of the Working Committee

ALLAHABAD—12TH TO 15TH MAY 1930

(Continued from Vol. I. page 340)

The Committee met at Anand Bhawan, Allahabad on May 12, 13, 14 and 15, 1930. The members who attended one or more meetings were : Pandit Motilal Nehru (in the Chair), Maulana Abul Kalam Azad, Shri Rajendra Prasad, Sardar Sardul Singh Caveeshar, Mr. T. A. K. Sherwani, Shri Shivaprasad Gupta, Shri Purshottam Das Tandon, Shri Mathuradas Tricamjee, Shri K. F. Nariman, Dr. B. C. Roy and Mr. Syed Mahmud. After formal business the following resolutions were passed :—

### 1. Dharsana Salt Depot

The Working Committee sends through Mrs. Sarojini Naidu its cordial greetings to Mahatma Gandhi's brave Satyagrahis at camp Karadi. It has heard with satisfaction the news of the determined resistance put up by their first batch under the leadership of Mr. Abbas Tyabji while being prevented by the authorities from marching on the Salt Depot at Dharsana and congratulates them on their arrest. The Working Committee trusts that Mahatma Gandhi's expectation that fresh batches of Satyagrahis will take up the raid one after the other will be fully realised and that sufficient number of volunteers will be forthcoming from all parts of the country to carry on the good fight.

The Working Committee recommends that Dharsana be henceforth treated as the All India centre for salt raid until further instructions.

### 2. Mahatma Gandhi and Civil Disobedience

The Working Committee places on record its grateful appreciation of the lead given by Mahatma Gandhi and his incomparable generalship in the conduct of the great campaign of civil disobedience inaugurated and carried on by him up to the moment of his arrest. It congratulates him, his brave Satyagrahis and the country on the phenomenal success of the movement throughout the country resulting in the universal defiance of the salt laws. The Committee reiterates its abiding faith in civil disobedience and resolves to carry on the struggle during the incarceration of Mahatma Gandhi with redoubled vigour. In the opinion of the Committee the moment has arrived when the entire nation should make a supreme effort to achieve the goal and the Committee calls upon students, lawyers and other professional men, the workers and peasants, merchants, industrialists and Government servants and all others to contribute to the success of the fight for freedom by making all the sacrifice they are capable of.

### 3. President Jawaharlal Nehru

The Working Committee highly appreciates the invaluable services rendered by the President, Pandit Jawaharlal Nehru to the Congress and the nation by his untiring work and courageous leadership and congratulates him on the unprecedented and unique honour he has achieved of compelling the Government to arrest him while in office.

### 4. Working Committee Members and Others

This Committee congratulates those members of the Working Committee, the A. I. C. C. and the Congress who have been arrested and convicted in the discharge of their patriotic work in the service of the country.

### 5. Foreign Cloth Picketing

After giving full consideration to the different aspects of the question of boycott of foreign cloth and to the representations of foreign cloth dealers, this Committee

is of opinion that in the interest of the country it is essential to carry out a complete boycott of foreign cloth throughout the country without delay and for that purpose to take effective steps to prevent sales for existing stock, secure cancellation of orders already placed and prevent the placing of future orders.

This Committee therefore calls upon all Congress bodies to carry on intensive propaganda for the boycott of foreign cloth and to organise the picketting of shops dealing in foreign cloth.

This Committee while appreciating the efforts of Pandit Madan Mohan Malaviya to help the boycott movement regrets that it cannot endorse any agreement or understanding with the dealers whereby their shops are not to be picketted and the sale of existing stock is to be permitted in return for promises made by them not to import or order foreign cloth for specified periods.

This Committee directs all Congress organisations to be no party to any such or similar agreements or understandings with dealers or importers of foreign cloth.

### 6. Khaddar Production

For the purpose of carrying out a complete boycott of foreign cloth it is necessary to increase the production of handspun and handwoven cloth (khadi) in order to meet the growing demand. To achieve this object this Committee suggests to the All India Spinners' Association and other organisations engaged in the production and sale of Khaddar to introduce a system of exchanging khaddar cloth for handspun yarn in addition to that of sales for money and calls upon Congress organisations generally to encourage handspinning. The Committee also appeals to every individual to devote some part of his or her time to spinning and present at least one pound of handspun yarn, not necessarily self-spun, to the nearest Congress Committee or Branch of the A. I. S. A. as a token of his or her practical sympathy for the movement of boycott of foreign cloth.

### 7. Non-Payment of Taxes

This Committee is of opinion that the time has arrived for the inauguration of a no-tax campaign by non-payment of specified taxes in certain provinces and is further of opinion that a beginning should be made by non-payment of land tax in provinces where the ryotwari system prevails as Gujrat, Maharashtra, Karnatak, Andhra, Tamil Nad and the Punjab and by the non-payment of the Chowkidari tax in provinces where it is levied, such as Bengal, Berar and Orissa. It therefore calls upon such provinces to organise campaigns for non-payment of land tax or the Chowkidari tax as the case may be in areas to be selected by the Provincial Congress Committee concerned. The Committee warns the tax-payers of areas not selected by the Provincial Congress Committee against embarking on a campaign of non-payment of land revenue or Chowkidari tax as such action is likely to interfere seriously with the conduct of the general campaign of civil disobedience.

### 8. Salt Satyagraha

The Committee calls upon Provincial Committees to take steps to continue and extend the manufacture of contraband salt for sale or consumption wherever possible and directs that technical breaches of the Salt Laws shall be continued with redoubled energy in places where they are sought to be prevented by the Government by arrests or otherwise. The Committee resolves that, to mark the country's disapproval of the Salt Laws, Congress organisations all over the country should organise public breaches of those laws on every Sunday.

### 9. Forest Grazing

The Committee approves and confirms the action of the acting President in permitting the breach of Forest Laws so far as they affect grazing in the C. P. and resolves that other provinces where similar laws are in force may organise the breach of such laws with the sanction of the Provincial Congress Committee.

### 10. Swadeshi Mill Cloth

The Committee authorises the Acting President to enter into negotiations with the Indian Mill-owners with a view to devise means to prevent unfair increase in



the prices of Swadeshi mill-cloth and the manufacture of spurious khaddar and generally to take steps to promote the boycott of foreign cloth.

### 11. British Goods Boycott

This Committee invites the attention of the country to the resolution adopted by Congress at Madras in 1927 and at Calcutta in 1928 relating to the boycott of British Goods and urges the people to make earnest attempts to bring about an effective boycott thereof at an early date. The Committee further appeals strongly to the public to boycott all British Banking, Insurance, Shipping and similar other institutions.

### 12. Liquor Picketting

This Committee once again emphasises the necessity of carrying on an intensive propaganda in favour of total prohibition and calls upon Provincial Congress Committees to organise picketting of liquor and toddy shops within their jurisdiction.

### 13. Assaults on Women

This Committee records its gratification at the generous response which has been made by women to the call of freedom in all parts of the country, particularly in Bombay and Delhi. This Committee expresses its indignation at the brutal assaults made on Women by the police and the military in Delhi, Agra, Contai and other places. The Committee assures the women of India that their brave sufferings are bound to hasten the advent of Swaraj.

### 14. Non-Violence

The Working Committee notes with satisfaction the general observance of non-violence in the prosecution of the campaign of civil disobedience even under grave and sudden provocation and congratulates the country on this achievement. It regrets that outbreaks of mob violence have occurred in certain places and cannot too strongly condemn such violence. Believing as it does that such cases of violence have mostly occurred under grave and sudden provocation given by the officials the Committee desires to emphasise the necessity of strict observance of non-violence even under such provocation.

### 15. Press Ordinance

This Committee strongly condemns the Press Ordinance recently issued by the Governor General as an outrage on civilisation and appreciates the action of those newspapers which have refused to submit to the lawless provisions of that Ordinance. It calls upon the Indian newspapers which have not yet ceased publication or having ceased publication have reappeared to stop further issues. It also calls upon the people to boycott all Anglo-Indian and Indian papers which continue publication hereafter.

### 16. Peshawar Inquiry

The Working Committee endorses the order of the Acting President appointing the Peshawar Enquiry Committee consisting of Mr. V. J. Patel as Chairman and Maulana Abul Kalam Azad, Maulana Abdul Kadir Kasuri, Sardar Sardul Singh Caveeshar, Lala Dunichand of Lahore and Dr. Syed Mahmud with power to co-opt, to enquire into and report on the happening, at Peshawar on April 25, the events preceding and following these happenings constituting the causes and effects of those happenings and such other matters connected therewith as may arise in the course of the enquiry.

The Committee having read and considered the reply of the Chief Commissioner, N. W. F. Province to the communication addressed by the Acting President prohibiting the entry of the Chairman and members of the Peshawar Enquiry Committee into the Frontier Province, requests the Chairman to select such other place outside the Frontier Province as he may consider proper for the purposes of enquiry.

The Committee has also considered the question of the relative importance of the presence of the Chairman and the members of the Committee in other parts of the country and of the Chairman in particular in Gujarat and Bombay, but is of opinion

that it is absolutely necessary that the enquiry should commence without any unavoidable delay and requests the Chairman and the members to fix the date and venue of enquiry forthwith.

### **17. Congress Committee Unlawful**

This Committee is not aware of the reasons why the Congress Committee in the N. W. F. Province have been declared unlawful but it is definitely of opinion that having regard to the principle of non-violence on which the whole Congress organisation is based no Congress Committee as such should have been declared unlawful. The Committee therefore hopes that the Congress Committees in the N. W. F. Province will continue to function notwithstanding the Government declaration.

### **18. Delhi Shooting**

This Committee believes in the substantial accuracy of the account given in the communique issued by the Delhi D. C. C. of the occurrences of May 6 in that city and condemns the shooting of peaceful citizens by the police. It deeply sympathises with the feelings of the Sikh Community on the outrage perpetrated by the police in shooting at the Gurdwara Sisganj in Delhi.

### **19. Sholapur Martial Law**

This Committee deplores the tragic incidents at Sholapur and has learnt with horror and indignation the promulgation of Martial Law in that city. It extends its sympathies to the sufferers and trusts that the citizens will not deviate from the path of non-violence and will not be terrorised by militarism or other forms of repression. The Committee hopes that Maharashtra P. C. C. will find it possible in due course to institute a full and complete enquiry into the matter and will also take immediate steps to organise relief for the citizens.

### **20. Ambulance Workers Assaulted**

This Committee strongly condemns the cowardly assaults on ambulance workers and the immoral and barbarous destruction by the officials of medical appliances, stretchers and medicines intended to be used for relieving the sufferings of those assaulted at Kalikapur and Neela in Bengal.

### **21. Dictator**

Having regard to the increasing difficulty in holding meetings of this Committee caused by the repressive policy of the Government this Committee delegates to the Acting President all the powers of the Committee under the constitution and the resolutions of the Congress and the A. I. C. C. to deal with urgent matters in connection with the campaign as they arise if in his opinion it becomes impossible or difficult to call a meeting of this Committee by the action of the Government or it is undesirable to call such meetings with due regard to the exigencies of the campaign.

Provided that the Acting President for the time being shall have the right to nominate his own successor and the successor so nominated shall have all the powers of the President.

### **22. Treasurers**

Resolved that Shri Mathuradas Tricamjee, Acting Working Treasurer and Mr. Shivaprasad Gupta, Treasurer, be empowered to operate on the accounts already opened in the banks in the name of the All India Tilak Memorial Swaraya Fund either jointly or severally and further Shri Mathuradas Tricamjee and Mr. Shivaprasad Gupta are hereby empowered to appoint an attorney or attorneys either jointly or severally from time to time who shall either jointly or severally have exactly the same powers to operate on the All India Tilak Memorial Swaraya Fund accounts as are hereby granted to the said Shri Mathuradas Tricamjee and Mr. Shivaprasad Gupta. Provided however that the devolution of any of the powers does not absolve the Treasurers from any personal responsibility to the Working Committee.

## 23. Swraj Bhawar.

This Committee places on record its grateful thanks to Pandit Motilal Nehru for his gift to the nation of his fine house Anand Bhawan (now named Swaraj Bhawan) which is associated with memories of many campaigns in India's fight for freedom.

-----

*ALLAHABAD—4TH. TO 7TH. JUNE 1930*

The Working Committee passed the following resolutions at its sittings held on 4th, 5th, 6th and 7th June 1930 at Anand Bhawan, Allahabad, with Pandit Motilal Nehru, Acting President of the Congress, in the chair :—

### 1. Spirit of Non-violence

On a careful survey of the progress of events in all parts of the country since its last meeting, this Committee puts on record its thankful appreciation of the general spirit of non-violence, the cool courage and patient endurance of suffering displayed by the people under the grave provocation of cruel and unwarranted firings and brutal lathi assaults by the military and the police. The Committee congratulates the country on this great achievement and warns the Government that no end of lawlessness committed in the name of law and order will deflect the people of India from their firm determination to win Swaraj at all costs.

### 2. Repressive policy of Government

Whereas the Government has indulged in a regular orgy of relentless repression to stifle the satyagraha movement and has established a reign of terror throughout the country by actively encouraging or conniving at open acts of lawlessness and violence committed on the people by the very officials charged with the maintenance of law and order,

And whereas the following among other unlawful acts have been committed in pursuance of this policy, that is to say, (1) cruel and indiscriminate beating of unarmed and unresisting men, women and children by, in the presence and under the orders of responsible British and Indian officers in many towns and places in the country, (2) indecent assaults on men and women and hitting them on their private parts, (3) shootings without any justification, (4) inhuman treatment of the wounded and obstructing the private Red Cross and Ambulance work, (5) arrests and convictions on false charges, (6) uncalled for application of Martial Laws, (7) unlawful introduction of Martial Law conditions without the formal application of Martial Law, (8) misuse of Sec. 144 of the Cr. P. C. and other provisions of the law, (9) trespasses on private property and forcible ejection of lawful occupiers, (10) suppression of authentic news and the issue of false and misleading communiques and (11) fomenting Hindu-Muslim differences,

And whereas the Governor-General has recently promulgated three ordinances, namely, the Press Ordinance, the Prevention of Intimidation Ordinance and the Unlawful Instigation Ordinance, the first of which has killed free and independent nationalist journalism and the last two have made it criminal to organize the peaceful picketing of liquor and foreign cloth shops, the social boycott of Government officers participating in various kinds of excesses and to carry on propaganda for non-payment of taxes not voted by the representatives of the people,

And whereas the statements issued by the Governor-General justifying these ordinances contain allegations which are contrary to facts showing that the Governor-General is either kept in complete ignorance of the actual happenings in the country or is intentionally ignoring them,

Now therefore this Committee calls upon the country to meet the situation thus created, by publicly disobeying the three ordinances aforesaid with calm and unflinching courage and strict observance of non-violence under the gravest provocation as heretofore, and carry out fearlessly all the resolutions of the Congress, the A. I. C. C. and the Working Committee regardless of the said ordinances.

In particular the Committee advises the people to carry on with redoubled vigour the peaceful picketing of liquor and foreign cloth shops, social boycott of Government officers known to have participated in unjustifiable assaults on satyagrahis and others and to extend the campaign for non-payment of land tax to parts of Gujerat, Maharashtra, Karnatak, Andhra and Tamil Nad where it has not yet been started and also to intensify and extend the campaign of non-payment of Chowkidari tax in Bengal, and start it in Behar and Orissa.

### 3. Dharsana, Wadala, Contai & Tamluk atrocities

The Committee has read with horror the blood-curdling account of the barbarous atrocities committed on peaceful satyagrahis at Dharsana. The Committee notes that these atrocities included, among others, beating satyagrahis mercilessly with lathis until they dropped down unconscious and thereafter trampling their bodies by hoops of horses ridden by European officers, stripping satyagrahis naked and thrusting sticks into their private parts, driving babul thorns into the body of a young lad and striking heavy blows on the scrotum.

The Committee is satisfied that the atrocities committed at Wadala, Contai and Tamluk were, with slight differences of detail, on a par with those perpetrated at Dharsana and were equally inhuman and unworthy of any civilised Government.

This Committee holds that High British and Indian officers of the Government are directly responsible for this inhuman acts by having permitted or failed to stop them, and warns the Government that it is only driving the iron deeper into the soul of the people whose determination cannot be shaken by the cruelest form of torture.

The Committee conveys to the satyagrahis of Dharsana, Wadala, Contai and Tamluk its heart-felt sympathy with their sufferings and its high admiration for their cool courage and patient endurance.

### 4. Lucknow Atrocities

Whereas a statement of the occurrences of the 25th May in the city of Lucknow is issued by a Committee of prominent citizens with Mr. S. M. Habibullah, O. B. E., M. L. C. as Chairman, discloses the following facts :—

1. That "grievous hurt and fractures were caused to the satyagrahis who according to all correct information had in no way resisted the police and were mostly beaten while squatting or lying on the ground."

2. That "the force employed was not of the kind that should be used for dispersing such a crowd but in attacking a foreign foe with a view to destroy or physically cripple the enemy."

3. That such use of force "was not limited to the processionists or the crowd about them but was used also on members of the civil population who innocently happened to be present in this vicinity."

4. That assaults were committed on "persons who were in the adjoining houses as spectators and these included ladies and children".

And whereas the above facts have been fully corroborated at a personal investigation on the spot by the Acting President of the A. I. C. C. and Syt. Purshottamdas Tandon, a member of the Committee,

And whereas at the said personal investigation the following further facts have been ascertained, namely,

1. That among the ladies assaulted were Mrs. Bakshi, a highly respectable lady belonging to a well-known family and Mrs. Moti Ram, wife of Dr. Moti Ram, a respectable medical practitioner,

2. That these ladies were first struck by a European sergeant named Hines and the bearing was continued by the Indian police,

3. That people on the terraces and balconies of their houses were shot at and wounded by the Police from the streets on the 26th May,

4. That certain shops were looted by the police,

5. That the Deputy Commissioner, the Superintendent of Police and other district officers were present on the scene and looked on these brutalities with approval and occasionally shouted 'Shabash' to the police,

6. That at the conclusion of the orgy sweets and rewards were distributed to the police for their inhuman conduct,

This Committee puts on record its definite and considered opinion that the Communique of the Commissioner of Lucknow relating to the said occurrences is wholly inaccurate and misleading and that the true facts are as stated above.

This Committee welcomes the appointment of the Oudh Bar Association Committee of Enquiry and hopes that further light will be thrown on the incidents of the 25th May by its investigation. It urges all those who have suffered or have any knowledge of those incidents to come forward fearlessly and make their statements before that Committee.

### 5. Women Satyagrahis

This Committee offers its respectful congratulations to all the women satyagrahis who have been assaulted, ill-treated or imprisoned in the course of the present satyagraha campaign, and assures them that the national movement has been greatly strengthened by their suffering and self-sacrifice.

In particular this Committee places on record its grateful appreciation of the patriotic services rendered by Srimatis Sarojini Naidu, (ex-president, Congress), Kamala Devi Chattopadhyaya, Rukmani Lakshminpathi (Member, A. I. C. C.) and Anjali Ammal.

### 6. Duty of Military and Police Forces

The Committee takes this opportunity to impress upon Indians employed in the military and police forces of the Government that it is as much their duty as that of other Indians to strive for the freedom of their country and expects them to treat satyagrahis and others engaged in the achievement of that freedom as their own brethren and not as enemies. The Committee draws their attention to the fact that it is not only no part of their duty to commit cruel assaults on unarmed and unresisting people but that they are criminally liable for such assaults even though committed under orders of their superior officers.

### 7. Dacca Enquiry Committee

The Working Committee deeply sympathises with the sufferers during the Dacca riots. It has received complaints making grave and serious charges against Government officials and others in connection with the said riots, but in the absence of fuller information appoints a Committee consisting of Syts. N. R. Sarkar, Rajendralal Ray, Prabhu Dayal Himatsinghka, Atul Chandra Sen, Shamsuddin Ahmad, Mujibar Rahman (Editor, the Mussalman), Ch. Ashrafuddin Ahmad and Shyamapada Mukherji, with power to co-opt to make a full inquiry into the recent disturbances and take all necessary attempts to bring about a settlement of the differences between the Hindus and the Mussalmans of Dacca.

### 8. Mussalmans and the National Movement

This Committee repels the charge of apathy to the national movement levelled by Government officials and interested persons against the Mussalmans of India and notes with satisfaction the patriotic part taken by them in the movement throughout the country, notwithstanding the strenuous efforts of officials and reactionaries to keep them out of it. In particular, the Committee puts on record its keen appreciation of the brave stand made by the Mussalmans of the N. W. F., the Punjab and Bombay for the present Satyagraha campaign carried on by the Congress.

### 9. Jamiat-ul-Ulema

This Committee welcomes the resolution of the Jamiat-ul-Ulema passed at their 9th Annual Session held at Amroha making common cause with the Congress in its campaign of civil disobedience for the attainment of complete independence and appealing to Mussalmans to strive for the liberty of their country and religion by joining the Congress whole-heartedly in the fight for freedom. This Committee reiterates the resolution passed at the Lahore session of the Congress that no solution of communal questions will be acceptable to the Congress that does not give

full satisfaction to the Mussalmans and other minorities and assures the Jamait and Mussalmans in general that the Congress will at all times respect the liberty of all religions and cultures in India and appeals to Mussalmans to cast off all doubts and misgivings created in the minds of some in that respect by interested persons. The Committee trusts that Hindus and Mussalmans fighting shoulder to shoulder will establish a spirit of camaraderie which will be an effective safeguard against all communal differences.

### 10. Newspapers

This Committee has considered the representation made by Pandit Rama Shankar Avasthi, proprietor and editor of the daily "Vartman" of Cawnpore asking for permission to resume publication on his giving the following undertaking to be published in the first number of the resumed issue :—

(Translation of extract from Hindi letter)

"I shall with pleasure take this risk (i. e. of breaking the Press Ordinance) on the Vartman Press and the "Vartman" newspaper. I shall write leading articles and notes in defiance of the Ordinance. I shall in breach of the Ordinance publish the notices and circulars of the Congress and shall not take into the least consideration the likelihood that by so doing the Government might demand security or confiscate the press. I shall also by means of leading articles disseminate the views of the Congress as contained in its orders the mere publishing of which would be tantamount to breaking the ordinance. I shall in the very first issue clearly announce this policy and shall continue to publish the "Vartman" so long as the Government does not carry away the machinery and other articles of the press."

(a) The Committee is of opinion that the undertaking satisfying the spirit of the resolution on Press Ordinance passed by the Working Committee on 14th May 1930 as explained in the Acting President's circular No. 43 and its supplement and accordingly resolves that the "Vartman" and any other paper that may be prepared to resume publication on the same terms may be permitted to do so on publishing similar undertaking in the first issue of the resumed publication and sending a copy to this office.

(b) The Committee has also considered the representation of the Delhi Journalists Association asking for the removal of the ban imposed by this Committee on the publication of newspapers, but is of opinion that such removal will not be conducive to independent journalism and is therefore not prepared to accord the sanction asked for.

(c) In view of the new fields of activity opened up by the recent action of the Government the Committee resolves that it is no longer necessary to picket newspapers and leaves it to the good sense of the Press and the public to give effect to the resolution of this Committee.

ALLAHABAD—27TH. JUNE 1930

The All-India Working Committee commenced its sittings at Allahabad on the 27th June. The following are the resolutions adopted by the Committee. In some of these a few references are missing which were to have been inserted by the office, but, for the present, they are not available. The only subject on which no resolution has been put into form owing to Panditji's arrest is the one on the general situation.—A. I. C. C. Office.

### Resolution 1

(a) This Committee confirms the arrangement reached by the Acting President with the Ahmedabad mill-owners fully set out in Appendix A whereby the said mill-owners have agreed to take effective steps to prevent the production of cloth which can be mistaken for Khadi and to provide shortage of Khadi by making available to the consumer Swadeshi cloth made of Indian yarn manufactured by themselves or other Indian owned and Indian managed mills up to the end of October 1930 at prices not exceeding those that prevailed on or about the 12 March 1930 in case the market prices rise higher during the interval.

(b) The Committee authorises the Acting President to represent the Congress on the Joint Board to be constituted under the said arrangement.

(c) The Committee notes with satisfaction that some of the Bombay mill-owners have also agreed to fix prices as aforesaid for similar cloth of their manufacture and calls upon them and other mills in the country to fall into line with Ahmedabad on the other particulars agreed upon by the latter.

### Resolution 2

The Working Committee notes with satisfaction the progress made in the boycott of foreign cloth in a very large number of cities, towns and villages and appreciates the patriotic spirit of the dealers who have in pursuance of the resolutions of the Committee not only stopped the sale of such cloth but have also agreed to cancel orders already placed and refrain from placing fresh orders, thereby causing a very considerable fall in the imports of all foreign textile goods. The Committee calls upon the dealers in foreign cloth in places where they have not yet stopped the sale of such cloth to stop such sales forthwith and on their failure to do so directs the Congress organizations concerned to enforce strict and vigorous picketing of the shops of such dealers. The Committee expects the sales of foreign cloth will be stopped everywhere in India before the 15th. July 1930 and calls upon the Provincial Congress Committees to make a full report on that day. Congress organizations are hereby reminded that under resolution . . . passed by this Committee on the . . . they are precluded from entering into or accepting any arrangement with dealers of foreign cloth permitting sale of such cloth for any period.

### Resolution 3

The Committee calls upon all Congress organisations and the country at large to take more rigorous steps to bring about a complete boycott of British goods generally than have so far been taken by giving preference to goods of non-British manufacture wherever similar Swadeshi goods are not available.

### Resolution 4

The Committee calls upon the people to organise and enforce a strict social boycott of all Government officials and others known to have participated directly or indirectly in the atrocities committed upon the people to stifle the national movement.

### Resolution 5

The Working Committee calls attention to the resolutions of the Indian National Congress passed at Gaya in 1922 and at Lahore in 1929 whereby the Congress repudiated the financial burdens and obligations directly or indirectly imposed on India by the foreign administration except such burdens and obligations as are adjudged to be just by an independent tribunal and advises the Indian public not to buy or accept any fresh bonds of the Government of India whether as new investment or in conversion of their existing holdings of the similar bonds.

### Resolution 6

Whereas the present legal tender value in exchange of the silver rupee in India has been fixed arbitrarily by the British Government in the teeth of strong public opposition, while the intrinsic value of the rupee is not even a third of the legal tender value so fixed, and whereas there is imminent likelihood of further depreciation of the value of the rupee, the Working Committee strongly advises the people of India not to accept rupees or currency notes in payment of any claims against the Government but to insist on payment in gold wherever possible. The Committee further advises the people to take the earliest opportunity to convert all their currency holdings of rupees or notes into gold and particularly to insist on all payments for their exports to be made in gold only.

### Resolution 7

In the opinion of this Committee the time has arrived when students of Indian colleges should take their full share in the movement for national freedom and directs all Provincial Committees to call upon such students within their respective jurisdictions to place their services at the disposal of the Congress in such manner and to

such extent including complete suspension of their studies as the exigencies of the national movement may require. The Committee trusts that all students will readily respond to such call.

### Resolution 8

Whereas in pursuance of the policy of repression the Government has declared a certain number of Provincial and District Congress Committees and other subordinate and allied organisations as unlawful associations, and whereas it is likely that other Congress Committees and organisations may be similarly declared unlawful associations in the near future, this Committee directs the Committees and organisations affected by those declarations and those that may hereafter be similarly affected, to continue to function as before, and carry out the Congress programme notwithstanding such declarations.

### Resolution 9

This Committee notes the amazing declaration of the U. P. Governor-in-Council forfeiting copies of Resolution No. 6 of this Committee about the duty of military and police forces passed at its meeting held on the 7th June. The Committee maintains that the use of the military and the police by the Government as their tools for perpetrating shocking atrocities on the people would have fully justified it in passing a much stronger resolution but for the present it was considered sufficient to pass the resolution as it stands containing as it does merely an accurate statement of the existing law on the subject, the Committee calls upon all Congress organisations to give the widest publicity to the said resolution in spite of the said declaration.

### Resolution 10

Whereas the Government has since the last meeting of this Committee continued its headlong career of relentless repression to stifle the Satyagraha movement and has to that end permitted acts of increasing cruelty and brutality to be committed by its servants and agents and whereas in addition to the unlawful acts mentioned in Resolution No. 2 passed by this Committee on the 7th June, the Government officials have committed the following among other cruelties namely.....

This Committee congratulates the country on the splendid stand made by the people against the atrocities committed by the officials and reiterates its warning to the Government that the people of India will continue their fight for freedom to the bitter end in spite of all conceivable tortures inflicted on them.

### Resolution 11

The Committee is amazed at the incredible statement made in the communique of the Bombay Government that prominent people of Sholapur have requested the Government to continue the operation of Martial Law until the Ekadasi fair held at Pandharpur, 45 miles from Sholapur. The Committee is in possession of reliable information that the people of Sholapur have always believed that there was no justification for introduction of Martial Law and have all along been strongly opposed to its continuance. The Committee puts on record its considered opinion that even on the Bombay Government's own showing there was no justification for the continuance of Martial Law so long, and that there is now not even a shadow of pretence to keep it in force any longer. The Committee is convinced that the sole object of continuing it is to crush the spirit of a long-suffering people.

### Resolution 12

The Committee notes with grateful appreciation that the women of India are continuing to take an increasing part in the national movement and bravely suffering assaults, ill-treatment and imprisonment. In particular the Committee offers its respectful congratulation to Shrimati Urmila Devi, President of the Nari Satyagraha Sangha of Calcutta, and her colleagues and other ladies in all parts of the country who have been arrested and imprisoned for the patriotic service they rendered in picketing and other Congress work.



### Resolution 13

The Working Committee puts on record its high appreciation of the patriotic action taken by Kunwar Suresh Singh of Kalakankar and Kunwar Saheb of Manekapur in breaking the order of the Magistrate of Lucknow for which they have been convicted and sentenced. The Committee appeals to the other scions of the families of Taluqdars of Oudh and other landed magnates in India to follow their noble example and take open part in the national movement regardless of consequence.

### Resolution 14

The Committee congratulates Shree Purushottamdas Tandon, Shree Shivaprasad Gupta, Sardar Shardul Singh Caveeshar, Shree M. Krishna Rao, members of this Committee, on their arrest and conviction for their patriotic activities in carrying on the campaign of civil disobedience.

### Resolution 15

This Committee expresses its deep grief at the death of Seth Revashankar Jagivan Jhaveri who was Hony. Treasurer of the Congress for a number of years, and places on record its gratitude for the many services rendered to the Congress and the Nation. This Committee conveys its respectful condolence to the members of his bereaved family.

### Resolution 16

This Committee invites the attention of the Provincial Congress Committees to Resolution V of the Lahore Congress relating to the dates of annual sessions of the Congress, and to Resolution 6 of the Working Committee dated 15th May 1930 fixing the annual elections to the A. I. C. C. for January, and requests the Provincial Congress Committees to modify, in accordance therewith, their rules governing the elections to Provincial Congress Committees and to their subordinate Committees.

In view however of the fact that meetings of Provincial Congress Committees are in the existing conditions difficult, if not impossible, of holding, this Committee authorizes the Executive Committees of Provincial Congress Committees to make the necessary alterations in the rules regarding elections.

### *BOMBAY—30TH. JULY TO 1ST. AUGUST 1930*

The Working Committee met at Shree Ram Mansion, Sandhurst Road, Bombay, on the 30th and 31st July and 1st August 1930, under the Chairmanship of the Acting President, Sardar Vallabhbhai Patel. The following members were present on one or more days :—

- (1) Pandit Madan Mohan Malaviya. (2) Maulana Abul Kalam Azad. (3) Srimati Kamala Nehru. (4) Mr. T. A. K. Sherwani. (5) Shri Mathuradas Tricumji. (6) Jairamdas Daulatram. (7) Lala Dunichand. (8) Shri Deep Narayan Singh. (9) Dr. N. S. Hardiker. The Committee has adopted the following resolutions :—

#### (1) Future Programme.

(a) Having reviewed the progress made by the country in regard to the various items of the programme of Civil Disobedience, the Working Committee congratulates the nation on the encouraging response, exceeding all expectations, which it has made to the call of the Congress, appreciates the remarkable manifestation of fearlessness and self-sacrifice shown by men and women, both young and old, in prosecuting the campaign for freedom, notes with gratitude the increasing participation in the present movement by all important minorities and by the Indian mercantile community and expresses its admiration of the spirit of non-violence demonstrated by the people despite numerous unprovoked assaults, lathi-charges, firing and other atrocious acts, and incarceration of about twenty-five thousand men and women. The Committee fully trusts that whatever the length of the present struggle may be, the people will keep up their attitude of organized but non-violent resistance and that their only a-----

to progressive repression will be increased activity and greater readiness for sacrifice in carrying out the National Programme. The Committee is confident that all sections of the population will bear up patiently under the temporary disorganisation of normal life, resulting from the acute situation created by the attitude of the Government towards the people and the policy of widespread repression and lawless violence which the Government has been pursuing and will cheerfully regard any economic loss which they may have individually to suffer as part of the price which has to be paid for securing the freedom of their Motherland. The Committee wishes to reiterate that the strict observance of non-violence by the people in spite of the greatest provocation is absolutely essential in the interest of the success of the campaign and calls upon all Congress organizations and workers to keep this vital aspect of the National Movement prominently in view and place due emphasis upon it at all times in their propaganda.

(b) The Committee directs all Congress organizations to take steps to carry out the following programme in the coming months :—(1) Boycott of foreign cloth. (2) Boycott of liquor and other intoxicants. (3) Boycott of the Central and Provincial Legislatures. (4) Boycott of British Goods. (5) Withdrawal of deposits in Post Office Savings Bank account and Postal Cash Certificates. (6) Boycott of Government loans. (7) Boycott of Government officials. (8) Publication among the Police and Military of Resolution No. 6 passed by the Working Committee on 7th June 1930. (9) Disobedience of the various repressive ordinances. (10) Preparation for and inauguration and continuance of a campaign for non-payment of land revenue and, or, such other Government tax as the provincial organisation may consider necessary and feasible. (11) Setting up, in co-operation with the mercantile community, arbitration boards for the purposes of dealing with the business disputes and the question of mutual payments. (12) Calling upon students of colleges to take full share in the national struggle, even by suspending studies. (13) Withdrawal of support to British Insurance, Banking and Shipping concerns. (14) Vigorous propaganda for the use of truly Swadeshi articles and support to truly Swadeshi concerns even at a sacrifice.

The Committee expects that Congress Organizations will carry out as many of the above items as local resources will permit them to do.

## (2) Elections to Legislatures

In pursuance of the Resolution passed by the Lahore Congress, urging a complete boycott of the Central and Provincial legislatures, and in view of the necessity for the Nation's energy and attention being concentrated on the vigorous continuance of the present mass movement, the Working Committee earnestly appeals to all Indians to abstain from standing as candidates or voting or otherwise participating, directly or indirectly in the forthcoming elections to the legislatures.

The Working Committee further calls upon all Congress organizations to take, within their respective areas, all legitimate steps including peaceful picketing where-ever necessary and feasible, with a view to dissuading intending candidates from standing for or seeking election and the voters from voting.

## (3) No-Tax Campaign in Gujarat

The Committee congratulates the agriculturists of parts of Gujarat on the determination and spirit of sacrifice with which, in the face of most heartless repression, and consequent economic ruin, they have been prosecuting the campaign of non-payment of taxes with undiminished vigour. The Committee trusts that the Gujarat agriculturists, true to their former traditions, will unflinchingly continue the resistance to the end.

## (4) Non-Payment of Chaukidari Tax

The Committee congratulates the people of Bihar on the inauguration of the campaign of non-payment of the Chaukidari tax and hopes that they will continue vigorously to pursue the programme, whatever the repression they may have to face and the sacrifices they may have to make.

The Committee notes with satisfaction that preparations are also afoot in parts of Bengal for the launching of a similar campaign.

### (5) Breach of Forest Laws

The Working Committee notes with satisfaction the launching of the movement for the breach of Forest Laws in parts of the Central Provinces, Berar, Karnatak and Maharashtra, appreciates the sacrifices of the people of those provinces and is fully confident that they will keep up the movement to the end in spite of all forms of repression.

### (6) Foreign Cloth Boycott

This Committee puts on record its appreciation of the response, made by the dealers in foreign cloth to the call of the country in regard to the programme of boycott and congratulates them on the spirit of sacrifice which they have shown in stopping further purchases, cancelling existing orders and suspending the sale of present stocks.

The Committee has very carefully considered the representations made to it by some of the dealers in foreign cloth, describing the difficulties they have to undergo and the losses they have borne and will have to bear owing to a complete stoppage of sales and despatch of foreign cloth and while recognising the fact that the complete boycott of foreign cloth will result in losses to them, the Committee has confidence that, in company with other sections of the Indian nation which also have had to sacrifice a great deal in the present great fight for freedom, dealers in foreign cloth will cheerfully bear the hardships caused by the situation and contribute their full share towards the success of the national struggle and continue to refrain from dealing in foreign cloth in any manner within the limits of India.

### (7) Visapur Jail Inquiry

The Working Committee places on record its appreciation of the services rendered by Shri Balubhai T. Desai, Dr. M. B. Velkar, Shri Moolraj Karsondas and Shri Vithaldas Bhagwandas in making an inquiry into the treatment meted out to political prisoners in the Visapur Jail.

Having perused their Report, the Committee most emphatically condemns the barbarous and inhuman treatment to which political prisoners in the Visapur jail are being subjected in regard to matters relating to accommodation, food, sanitary and medical arrangements and the behaviour of warders and some of the jail officials, and regards the existence of such a jail as a blot on any administration. While strongly of the opinion that the cruel and heartless manner in which the Satyagrahi prisoners are being dealt with is calculated to terrorize and cow down the Satyagrahis, the Committee expresses its heart-felt sympathy with the sufferings which the Visapur jail prisoners are bearing up for the sake of the country's cause and feels confident that all the prisoners will brave the cruelties to which they are being subjected.

The Committee urges all Congress organisations to give the widest publicity to facts relating to the Visapur jail on the occasion of the Political Prisoners' Day with a view to exposing the barbarities perpetrated in that jail.

### (8) Political Prisoners' Day

This Committee strongly condemns the invidious distinctions on which the present classification of political prisoners is based on the consequent harsh treatment meted out to almost all political workers now in jail, who are being confined at night within closed doors during all seasons of the year, offered unwholesome food and denied minimum amenities of human life. This Committee, however, places on record its high appreciation of the willing and cheerful manner in which the political prisoners are bearing up under the hardships imposed on them during their incarceration and appoints Sunday, the 10th of August as the Political Prisoners' Day, for the purpose of an all India demonstration of sympathy with the suffering of the political prisoners. The Committee recommends that on that day all the workers and volunteers and the people at large should observe fast and the Congress Committees should organise processions and hold public meetings at which the ill-treatment of political prisoners should be strongly condemned.

### (6) Previous Decisions Reaffirmed

The Working Committee reaffirms the resolutions passed at its earlier meetings (1) drawing the attention of Indians employed in the military and police forces of the Government to the fact that it is not only no part of their duty to commit cruel assaults on unarmed and unresisting people, but that they are criminally liable for such assaults even though committed under orders of their superior officers ; (2) condemning the issue of repressive ordinances by the Viceroy and calling upon the people to disobey them ; (3) calling upon the people to organize and enforce a strict social boycott of all Government officials and others known to have participated directly or indirectly in the atrocities committed upon the people to stifle the national movement ; (4) advising the Indian public not to buy or accept any fresh bonds of the Government of India and (5) directing Congress Committees and allied organizations to continue to function as before, in spite of being declared unlawful associations. And the Committee calls upon all Congress Committees and other organisations concerned to continue to give the widest publicity to the above resolutions and to take steps to put them into execution.

### (10) Women and the Movement

The Working Committee places on record its grateful tribute to the women of India for the noble part they are progressively playing in the present struggle for national freedom and the readiness they have increasingly shown to brave assaults, abuses, lathi-charges and imprisonments while carrying on the Congress work. In particular, the Committee congratulates Deshbandhavi Subbamma, Mrs. Perin Captain, Mrs. Lilavati Munshi, Mrs. Lukmani, Mrs. Hassan Imam and others on their contribution to the national movement and on their arrest and conviction for the country's cause.

### (11) Pt. Motilal Nehru and Dr. Syed Mahmud

This Committee places on record its high appreciation of the great services rendered to the country by Pandit Motilal Nehru and warmly congratulates him and Dr. Syed Mahmud on the special privilege earned by them, of having been arrested and sentenced to imprisonment as Acting President and General Secretary respectively of the Congress Working Committee, in consequence of its being declared an unlawful association.

### (12) Babu Rajendra Prasad and Pandit Sudarlat

This Committee puts on record its high appreciations of the patriotic services rendered to the national cause by Shri Rajendra Prasad and Pandit Sudarlat, two of its members, and congratulates them on their incarceration for the part they played in the Satyagraha movement in their respective provinces.

### (13) Peshawar Inquiry Report

The Ag. President explained the circumstances under which the non-official Peshawar Inquiry Report was not available for discussion by the Working Committee and he hoped that the Committee would deal with the recommendations made in the report as soon as it was printed and made available.

The Committee confirmed the advance of Rs. 1,500 made by the Acting President to Mr. R. S. Pandit, the Secretary of the Inquiry Committee for printing the report.

The Working Committee resolved that the papers relating to the contract entered into by the Secretary of Inquiry Committee with the Managing Editor, Indian Daily Mail shall be referred to a lawyer for such action as he may advise.

### (14) Gandhi Cap

This Committee congratulates all those who have disobeyed the magisterial ban on Gandhi Cap and gone to jail and trusts that the people of Andhra will continue to resist the absurd order prohibiting the wearing of Gandhi cap in Guntur.

### (15) Shri M. S. Aney

This Committee congratulates Shri M. S. Aney on the patriotic example set by him in offering satyagraha and embracing the hardships and sufferings of the jail life notwithstanding his original differences with the Congress in regard to its programme. The Committee trusts that all those who have so far held aloof from the campaign will follow his example and take their proper share in the great national fight that is now in progress.

---

DELHI—27th. AUGUST 1930

The Working Committee of the All-India Congress Committee met at Delhi on the 27th August, 1930, Dr. Ansari presiding. All the members except Dr. Bhagwan Das of Benares, viz, Pandit Madan Mohan Malaviya, Mr. Vithalbhai J. Patel, Mrs. Kamla Nehru, Mrs. Hansa Mehta, Dr. Bidhan Chandra Roy, Mr. Mathooradas Tricumji, Mr. Deep Narain Sinha, Mr. Duni Chand, Sardar Mangal Singh, and Maulana Afzal Haq attended. The Committee excluding Mrs. Kamala Nehru and Mrs. Hansa Mehta were arrested during the course of their deliberations, but before this event took place, they had adopted the following resolutions :

#### 1. Liberation of Motherland

1. The Working Committee draws the attention of all Congress organisations and of the public in general to resolution No. 1 passed at its meeting held in Bombay on the 30th July 1930, laying down the programme of work for the liberation of the Motherland, and calls upon Congress organisations to carry out the said resolution to the best of their power and trusts that the people will co-operate with the Congress to the fullest extent in doing so.

#### 2. Previous Decisions Reaffirmed.

2. The Working Committee re-affirms its resolution No. 9 adopted at its meeting held at Bombay on the 30th July which runs as follows :—

“The Working Committee reaffirms the resolutions passed at its earlier meetings : (1) Drawing the attention of the Indians employed in the military and police forces of the Government to the fact that it is not only no part of their duty to commit cruel assaults on unarmed and unresisting people but that they are ordinarily liable for such assaults even though committed under orders of their superior officers ; (2) Condemning the issue of repressive Ordinances by the Viceroy and calling upon the people to disobey them ; (3) Calling upon the people to organise and enforce a strict social boycott of all Government officials and others known to have participated directly or indirectly in the atrocities committed upon the people to stifle the Indian national movement ; (4) Advising the Indian Public not to buy or accept any fresh Bonds of the Government of India ; and (5) Directing Congress Committees and allied organisations to continue to function as before, in spite of being declared unlawful associations. And the Committee calls upon all Congress Committees and other organisations concerned to continue to give the wildest publicity to the above resolutions and to take steps to put them into execution.

#### 3. The Peshawar Enquiry.

3. (a) The Working Committee conveys its thanks to the Chairman and members of the Peshawar Enquiry Committee, appointed by the Acting President of the Congress and subsequently confirmed by this Committee at its meeting held at Allahabad on the 14th. May 1930, for the industry and care with which they have collected the evidence and produced their report and the deplorable occurrences in Peshawar and neighbouring districts in April and May last, in spite of the order of the local Government prohibiting the Committee from entering the Frontier Province for the purpose of the enquiry and the hindrances placed thereby in their ways.

(b) The Committee has also considered the resolution of the Government of India on the report of the Sulaiman Committee. The Committee cannot accept its findings as correct, as they are based on practically one sided evidence.

(c) The Committee expresses its concurrence with the following conclusions and findings of the Patel Committee which considered the evidence given before it as well as the evidence given before the Suleiman Committee as published in the public press :—

*Conclusions :—*

- (1) There was no outbreak of riot at the Kabuli Gate on the morning of the 23rd April.
2. The two leaders were rescued by the people from the public custody.
- (3) The Assistant Superintendent of Police was not hurt by a stone from the crowd.
- (4) The people had no arms such as lathis, sticks etc.
- (5) The people were absolutely non-violent and were dispersing when the leaders were admitted into the Thana.
- (6) The Deputy Commissioner at about 10-30 a. m. on the 23rd April, when the people had begun to disperse, rushed with three or four armoured cars from Cantonment to the city and without warning took the people unawares with the result that the wheels of one or two armoured cars crushed about 12 to 14 persons, six or seven of whom were instantaneously killed and the remaining seriously injured.
- (7) Every endeavour had been made and steps taken to prevent the above incident being known to the outside public and perhaps to the authorities.
- (8) That the armoured cars were taken to the gate by the Deputy Commissioner in spite of the advice of the city Magistrate who was on the spot, that the crowd was non-violent, unarmed and had begun to disperse and there was no necessity for reinforcements.
- (9) That the Deputy Commissioner took the armoured cars to the Kabuli Gate not as a precautionary measure but deliberately to create an impression and to strike terror.
- (10) If the armoured cars had not been brought and rushed into the crowd regardless of consequences, subsequent tragic events of the day would not have happened.
- (11) The despatch riders were not hit or killed by any member of the crowd but was run over by one of the armoured cars after he fell down by collision.
- (12) The allegation that the crowd set fire to the armoured car is not true and seems to be an after-thought intended to serve as a cover for the unjustifiable firing by the authorities, and
- (13) The Deputy Commissioner was hit by a piece of stone thrown by some member of the crowd.

*Findings :—*

- (1) In the situation that had arisen at Peshawar on the 23rd April firing by the armoured cars and the military was wholly unjustifiable.
- (2) Provisions of law and procedure were not only not complied with but were deliberately set at naught before orders to fire were given.
- (3) The Deputy Commissioner without any warning and without any justification rushed the armoured cars through the unarmed, unresisting and peaceful crowd (which commenced to disperse after the two leaders were admitted into the Thana) and already killed and wounded twelve to fourteen persons. Had he not done so, subsequent tragic events would not have happened. The responsibility for all this is entirely on the Deputy Commissioner. He created a situation by his action. Enraged at the sight of their dead and wounded brethren some irresponsible persons in the crowd picked up stray stones and threw them towards the armoured cars. One of the stones hit the Deputy Commissioner and this gave him a handle for ordering armoured cars to open fire. If the object of the Deputy Commissioner was merely to disperse the crowd, he could have easily done so by other methods. But there was no desire on his part nor indeed did he make any attempt to deal with the situation in any other way. On the contrary there was a determination to use military force with a view to strike terror and this was done.

Similarly with regard to the second firing Mr. Icemonger had decided to use military force. Refusal by the people to disperse unless they were allowed to remove the dead and the wounded and unless the armoured cars and the military were withdrawn gave him a handle to order firing. If his object was merely to disperse the

crowd, whether it was necessary to do so or not, he could easily have done so by other methods, but he had no desire, and indeed he made no attempts to try other methods. He resorted to firing straight off.

(4) The object of firing was not so much to disperse the crowd as to use as much force as the authorities considered necessary to strike terror. Firing was therefore resorted to recklessly, indiscriminately and for inordinate length of time. And it was not confined merely to the Bazar, but was extended to side streets, bylanes, balconies and other places round about.

(5) The number of persons actually proved to have been killed is 125, but we have no doubt that a much larger number must have been killed and a still larger number wounded. Proof in respect of this large number of killed and wounded it is impossible to secure in the conditions now obtaining in the province. Such proof as had been collected by the Congress Committee after the 29th April was seized by the military on the 4th May, since when further enquiries have been impossible owing to the continued presence of the military in the city.

(d) The Committee condemns the order of the U. P. Government proscribing the Patel Enquiry Report in as much as such an order will prevent the public from knowing the truth about the tragic occurrences in Peshawar and is calculated indirectly to shield the officers who were guilty of the shocking excesses and atrocities noted by the Patel Committee.

(e) The Committee tenders its deep sympathies to the relations of those who lost their lives or limbs or suffered other injuries at the hands of the police or the soldiers and offers its sincere congratulations to the people of Peshawar and other Frontier districts who have borne in a spirit of patriotic non-violence all the repression to which they have been subjected.

And the Committee particularly offers its thanks and congratulations to Khan Bahadur Abdul Ghaffar Khan who has been the guiding spirit of this movement of non-violence in the Frontier Province.

---

# Parliamentary Debate on The Round Table Conference

*HOUSE OF COMMONS—29TH. JULY 1930*

In the House of Commons on the 29th. July Mr. MacDonald announced the opposition parties would be invited to nominate their representatives in the Round Table Conference, but that Government would retain complete freedom with regard to the proposals to be laid before the Parliament as the outcome of the Conference.

Mr. MacDonald's statement was a reply to Mr. Baldwin. The Prime Minister was hopeful that the names would be announced before the recess. He personally favoured four representatives from each opposition party.

Replying to Mr. Lloyd George, Mr. MacDonald said he had given much consideration to the question of the Statutory Commission being represented, but at present he was inclined to the view that it would be a great mistake.

Mr. Maxton suggested the inclusion of backbenchers who hold strong views on the question. The Premier did not reply.

Sir Austen Chamberlain suggested the appointment of Sir John Simon not as a representative of party but with common consent. Mr. MacDonald repeated his present view that it would be a profound mistake.

Sir Austen Chamberlain raised the question of parties who has signed another report. Mr. MacDonald understood that the Central Committee would not be represented. He was at present communicating with the Viceroy in that connection. He at present thought the House would be well advised not to adopt the suggestion.

Replying to Mr. Thurtle, Mr. MacDonald said he had considered the reaction on Indian opinion of inviting the Opposition Parties. He added that it would be obviously for the good of India as well as our own good that the discussions should be full and representative and that Government would have the benefit of listening the very thorough thrashing out of the problems.

Mr. Neil Maclean asked whether the three parties would have the same representation or whether there would be proportional representation according to their numerical strength in the House. Mr. MacDonald said he was not interested in proportional representation regarding this Conference. He wanted representation that would be efficient in bringing ideas and examining the questions.

*HOUSE OF LORDS—29 JULY 1931*

In the House of Lords, Lord Russel read the Prime Minister's statement regarding the Round Table Conference. Lord Salisbury agreed to the proposals on behalf of the Conservatives.

Lord Reading similarly agreed to it on behalf of the Liberals but regretted that the members of the Statutory Commission had not been appointed.

Lord Burnham, putting a question whether, in view of Lord Irwin's statement on July 9, the Simon Commission Report would form the main subject of consideration and discussion at the Round Table Conference, emphasised that he was speaking for himself alone and in no way on behalf of the Simon Commission. He commented that it was almost inconceivable that a Conference of such gravity not only to people of India but also of the British Empire should be held without being the subject of a Parliamentary enquiry and debate. He said that his purpose was to rescue Indian affairs from the mystification which was bound to be injurious both to Indian and to British interests.

Lord Burnham referred to the reception of the report in India and commented that, while the Acting president of the Congress had declared that the Congress



India in Parliament  
and Abroad

July-December 1930.

was not going to pay the slightest attention to the Commissioner's recommendations, the Government were now endeavouring to conciliate these same Congress leaders.

Lord Burnham considered that this and other circumstances showed a confusion of mind which, he hoped, would not be allowed to continue.

Lord Burnham declared that the conference, as was now contemplated, was not the conference originally proposed by the Commission. He reminded the Government that it must draw up the agenda and urged the Government to consider the danger of generalisations and catchwords. Therefore, he suggested that the Conference's discussions should be based on the Simon Commission's report.

Lord Burnham proceeded to inquire about the strength of the British delegation and urged that it should consist of at least twelve.

*Earl Russel*, replying to the various points that Lord Burnham raised, thought that the time for a Parliamentary debate would occur when the Conference had reached conclusions which Parliament would then have to consider to come to a final determination.

Lord Burnham suggested that then it would be too late.

Earl Russel replied that he was not aware that the conference would bind Parliament any more than Parliament was bound by the Simon Commission. It would be for Parliament to decide what was to be done after the Conference.

Earl Russel did not consider the size of the British Delegation very important as matters would not be decided by the counting of votes.

He said as regards Lord Burnham's suggestion that the present conference was not the Simon Commission's original proposal, Sir John Simon's letter in the printed report must speak for itself. The agenda was not yet settled and Government would be engaged on it until the Conference assembled.

Earl Russel also replied to Lord Burnham's reference to the mission to Mr. Gandhi and emphasised that Sir Tej Bahadur Sapru and Mr. Jayakar made a request; they were in no sense sent.

Coming to Lord Burnham's questions, whether the report would form the main subject of consideration, Earl Russel asked, "How can I tell?"

The report was a document of first importance and great authority, all the greater for being unanimous. It was obviously entitled to the greatest possible respect and could not be ignored. Obviously, none of the subjects dealt with in it could be discussed at the Conference without reference to the report.

But nobody would be able to tell whether the delegates would devote the principal part of their time in criticising and amending the report or making other suggestions. The Conference would settle that. The Government could not be responsible for what the delegates were likely to say and what line they were likely to take.

Earl Russel said that, if Lord Burnham meant that the Simon report and nothing else must be discussed, the answer was obviously in the negative. On the contrary, if he meant that the report was to be put aside and not looked at again, the answer was also in the negative. Obviously, the Conference must consider the report but the report was no more intended to bind the Conference than Parliament. The report would be given proper weight at the proper time.

The Conference would be entirely free to accept, reject or modify it. That, surely, was the only possible meaning of a free Conference.

*Lord Salisbury* said that the Conservatives were as anxious for a settlement as the Government but they felt very strongly that the agreement must be national, not party. Conservatives naturally claimed the same measure of freedom at the conference as was accorded to others and, while not pretending to have any cut-and-dried scheme, they would certainly require that full consideration was given to the Simon Commission scheme which was the greatest constructive proposal yet made towards the carrying out of the policy laid down in 1917. While they were prepared carefully and sympathetically to examine any alternative proposals, they would require such proposals to satisfy the test of practicability, which the Simon Commission had voluntarily imposed on their own scheme.

*Lord Reading* expressed complete concurrence with Lord Salisbury. He said that Liberals earnestly hoped that the Conference would reach a settlement carrying the assent of all parties in Britain. Lord Reading declared that it was inevitable that there would be important discussions at the Conference regarding the Simon

Commissions report and, while expressing satisfaction at the course Government were adopting, he regretted that they had decided not to appoint to the Round Table Conference a representative of the Simon Commission.

*Lord Peel* agreed that the representation of the parties should be substantial in view of the heavy duties and responsibilities that they would be called upon to assume. He hoped that a statement on the subject would be made before Parliament rose. *Lord Peel* urged Government to consider inviting Sir John Simon to participate in the Conference. *Lord Peel* said that all wanted the Conference to be as successful as possible and nothing would contribute more to careful elucidation of all points than the presence, at Government's invitation, of Sir John Simon, as Chairman of the Simon Commission. *The motion was then withdrawn.*

#### HOUSE OF COMMONS—30TH. JULY 1930.

*The Prime Minister* in the Commons recalled that the Round Table Conference was first suggested in a letter addressed to him last October by the Chairman of the Indian Statutory Commission. The letter said in such a conference "His Majesty's Government would meet both representatives of British India and representatives of Indian States." The Government had been considering how, without changing the character of the Conference, indicated in that letter, it could be used to give an opportunity to representatives of India and the British Parliament of exchanging and discussing views on problems with which they are dealing and for understanding each other and Government were impressed by the advantages which would result from the presence in the Conference of representatives of other Parliamentary parties. Thus, he believed, difficulties and differences would be removed and legislation to be undertaken hereafter would be facilitated. For this reason Government propose to invite the leaders of other two parties to nominate representatives to attend the Conference from both Houses.

But he must make it clear that Government would not throw off their constitutional responsibility and must claim complete freedom regarding the proposal which they would subsequently lay before Parliament, as to the outcome of the Conference to advance the purpose announced by His Excellency the Viceroy after consultation with His Majesty's Government.

*The Premier*, replying to Mr. Baldwin, said he was at present exchanging views regarding the number of representatives from the two other parties to be invited, but he thought three or four from each would be a convenient number and he would like their names to be announced, if possible, before the Parliament rose at the end of this week.

Asked by Mr. Lloyd George whether such nominees would have equal status with other delegates and whether he had reached any conclusion regarding representation of the Statutory Commission, seeing that it was no ordinary Commission appointed by Government but had been appointed under the authority of Parliament, the Premier replied that nominees of Opposition parties would be full delegates.

The question of representation of the Statutory Commission received from Government a great deal of anxious consideration and at the moment they were inclined to say it would be a great mistake to have members of the Commission as representative delegates at the conference.

*Sir Austen Chamberlain* said it would clearly be undesirable that any member of the Statutory Commission should be included in either of the Party delegations but asked, was it not also clear that the Conference ought to have the assistance of the representative Commission and could not Government, with the consent of all parties, ask the Chairman of the Commission to act?

*The Premier* replied he held the view at the moment that it would be a grievous mistake to do this as there was a strong reason why it was undesirable.

*Sir Austen Chamberlain* then asked if it was proposed to exclude from the Indian representation any one who signed any report or had taken part in civil disturbance. Was there, he asked, to be one rule for Indian and another rule for British representatives?

*The Premier* replied that so far as the Indian Central Committee was concerned he understood, that body would not be represented but they were at present in com-

munication with the Viceroy and he could not say more at present. The Premier added : "I have been perfectly candid. We considered it and we are now engaged in negotiations about it. But at present I think the House would be well advised not to adopt the course."

Replying to Mr. Ernest Thurtle (Labourite) who asked if Government considered the effect upon Indian Nationalist opinion of admitting the Opposition parties to the Round Table Conference, the Premier replied in the affirmative. He added it was perfectly obvious that it was for the good of India, as well as Britain, that discussions at the Conference should be very full and representative and that Government should have the opportunity of listening to a most thorough thrashing out of all problems that arose and would have to be dealt with by legislation. He was very little interested in proportional representation but in a representation that would be efficient in bringing ideas to the Conference and in examining questions before it.

#### HOUSE OF LORDS—31ST. JULY 1930.

The subject of the Indian Round Table Conference was again raised in both the House of Parliament, Lord Reading in the House of Lords supported by the Conservative Leader, Lord Salisbury, asked the Government to give effect to the urgent representations made yesterday that Sir John Simon should be invited to be a member of the Conference.

*Earl Russel*, Under Secretary of State for India, replying said that the question and those involved in it had been exhaustively considered by the Government in consultation with the Indian Government. The Statutory Commission performed its task with distinction which would secure for its report a prominent place in the official political literature. It presented its findings to Parliament. When the Conference now contemplated was proposed by the Chairman of the Commission with the consent of his colleagues, the Government alone was to have taken upon itself the negotiations. "We widened this so that Parliament, in its varied composition, might be represented. The Government is certain that it would be advisable to halt there and not to add another section of representatives to the delegates announced yesterday. The Government is confident that representatives to be selected will get from the Conference the fullest examination of every proposal brought before it and that every opportunity will be taken to secure most expert and well informed advice, wherever it is to be found, and that it will be available for the Government and Parliamentary representatives. The Government is convinced that any departure from this decision will not ease the task or promote the success of the Conference."

#### HOUSE OF COMMONS—31ST. JULY 1930

In the House of Commons, the Prime Minister read a reply in similar terms in answer to a question by Sir Austen Chamberlain, who, however, said that the answer hardly met his point, which was that the Chairman of the Indian Statutory Commission, Sir John Simon should be present at the Conference so that his service could be made available to the Conference.

*Mr. Lloyd George* said that he understood from the Prime Minister that the Government left it open to summon anybody who had expert knowledge in matters to be considered by the Conference in order to aid the Conference in coming to a decision. He therefore asked the Prime Minister whether he would not close his mind to the question of summoning to their aid the examination of this very grave problem. He understood the Indian Legislature would probably be represented by those chosen by both the Houses to examine this problem.

The Prime Minister stated that that raised a totally different point. If the Conference wanted advice and asked for it, it would get it. How it was to be provided was a matter on which he had not had time to go into details. The Conference would not meet until November after the Imperial Conference but he wanted to make it perfectly clear that the Government had come to the definite decision that it would not be advisable to have other categories of delegates than those mentioned yesterday and to-day.

Sir *Austen Chamberlain* then asked for an undertaking that if any delegation desired the presence of the members of the Commission their services not as member should be available within the Conference.

The Prime Minister, replying, said that he declined to go further than the considered statement he made.

Ultimately Sir *Austen Chamberlain* asked the Speaker if he could have leave to move adjournment of the House to-morrow to discuss the refusal of the Government to invite the Chairman of the Indian Statutory Commission to take part in the Conference.

The Speaker pointed out that such a motion under the Standing Orders should be moved now, but said that he would consider the motion on its merits when submitted.

#### HOUSE OF LORDS—27TH. NOVEMBER 1930.

In the House of Lords *Lord Burnham* asked in what form the finding of the Round Table Conference would be presented to both Houses and how assent or dissent of the various delegations or delegates to such proposals as might be made would be expressed or notified.

*Earl Russel* replied that it could not be said at present in what form the record of the Conference would be made available to Parliament, but probably the form of the Imperial Conference would be closely followed. The Conference had only just begun its detailed task and nobody could predict how soon its conclusions would be reached.

*Lord Burnham* said he much regretted that *Earl Russel* had been barred, for some reason of which he was unaware, from benefitting the Round Table Conference by his ripe experience of administration.

*Earl Russell* replied that he was very much obliged to *Lord Burnham* for his kind reference to himself, but, as far as his knowledge of India was worth anything, it was available for the Conference, because, although he was not a full delegate, almost the only activity from which he was debarred was speaking and there was perhaps no great harm in that.

*Earl Russell* was of opinion that *Lord Burnham* was rather in a hurry. He pointed out that verbatim reports of speeches at the Plenary Sessions of the Conference were published and so all information with regard to what occurred at the plenary meetings was available. The Conference had hitherto held only one meeting in Committee. *Lord Burnham* seemed a little like somebody who wanted to keep on pulling up a plant to see how it was growing. After stating that the procedure adopted after the Imperial Conference was likely to be closely followed, *Earl Russel* recalled that this meant presentation of a White Paper containing a full general summary of the conclusions and a record of all proceedings on which the summary was based. He did not suppose that *Lord Burnham* was asking for verbatim reports of every speech made in the Committee to be published.

*Lord Burnham* interposed that he meant an adequate summary.

*Earl Russel* said that the communiques issued from day to day would give an adequate summary of what occurred. The summary would certainly not conceal anything but would put before the public the general view taken, the amount of disagreement with it and the conclusion reached.

*Earl Russel* said that the Conference would settle the precise form in which the records should be drawn but the records would show the extent to which propositions agreed to were unanimously agreed to or what dissent there was.

Referring to the present proposition, *Earl Russel* announced the decision of the Federal Relations Committee to co-opt all members and said it was expected that the deliberation of *Lord Sankey's* Heads would last some considerable time. Nobody could predict how soon conclusions might be reached or how far agreement would be reached. Therefore, the Government was unable at present to indicate with any precision the detailed lines on which the Conference would proceed or indicate, in the absence of any knowledge with regard to the nature and outcome of its deliberations, exactly what steps they would be called upon to ask Parliament to take, in order to deal with the resolutions.

*Lord Salisbury* emphasised that the British delegates to the Round Table Conference were not plenipotentiaries and it was Parliament, especially the House of Commons, who must ultimately decide. He emphasised the very great importance of British public opinion in that regard and the vital importance of the House of Commons being fully informed.

*Earl Russell* replied that *Lord Salisbury* was really forcing open the door. Nobody recognised more clearly than *Mr. Benn* that Parliament was the ultimate arbiter in this matter. Government also recognised that for any settlement or solution to be satisfactory they must carry with them the general sense of Parliament and country. *Mr. Benn* was fully aware of these considerations. *Earl Russell* expressed the opinion that none of them would make the mistake of thinking that they were plenipotentiaries empowered to decide exactly what they liked without reference to Parliament.

*Lord Burnham* said he had put down the question for the purpose of obtaining information for the Commons and for the public. He had been extremely fearful that in the Committee they might begin a system of mystification, of which already there was too much with regard to Indian affairs and the danger of it, particularly with regard to India, was that rumours were always getting into papers with regard to what was happening. As far as he understood, the Conference had now returned to the starting point. The same difficulties would recur (as the minorities' demand of representation) and he feared that the result could not, in the nature of things, be very happy. He supposed that certain members of the Conference did not wish to lose what *Dr. Johnson* described as the "grandeur of generalities."

*Earl Russell* said that if *Lord Burnham* repeated his question two or three months hence he might be in a position to give more information. All he could say generally was that neither Parliament nor public would be left in ignorance of what was going on.

*Lord Burnham* replied that he was afraid that things had been allowed to drift and that Government had not drawn up or conceived any form of procedure or agenda. He thought that that would lead to a fatal issue. Already the skies were dark though he hoped that it would be otherwise and that the Conference would arrive at some conclusions which would be helpful to the Empire and to the peoples of India.

*The matter was dropped.*

# Indians in South Africa

## The Asiatic Bill Menace

The *A. B. Patrika* of Calcutta wrote the following in its issue of the 16th October:—

"From time to time the placid life of the Indian community in South Africa is menaced by a wave of anti-Asiatic feeling. It was thought that the Gandhi-Smuts Agreement of 1914 and recently the Cape Town Agreement of 1927 would mark the end of the campaign of persecution against Indians. But the hope has not been fulfilled. And the latest cause for anxiety is the *Transvaal Asiatic Land Tenure (Amendment) Bill*. It will be recalled that at the instance of the Minister of the Interior to the Union Government a Select Committee was appointed in February last "to investigate into the Indian residential and trading question in the Gold Areas, proclaimed fields, public diggings and townships with restrictive title deeds." The Committee reported in May last and its recommendations are so serious, revolutionary and drastic in character that the Bill, which has been drafted to give effect thereto and introduced into the South African Parliament, has shocked the Indian community in that country. The Select Committee considered only the anti-Indian aspects of the question. The Bill which virtually revives the segregation policy sought to be imposed by various previous Bills and which is naturally considered as an infringement of both the letter and spirit of the Cape Town Agreement, was to have been rushed through the Union Parliament. But through the intercession of Sir Kurma V. Reddi, the present Agent-General of the Indian Government in South Africa it has been postponed to the next. The situation has already taken an alarming turn and Reuter cables that the South African Indian Congress at a Conference specially convened at Johannesburg has unanimously adopted a resolution requesting the Government of India, in the event of the Union Government's failure to withdraw the Bill, to press for a Round Table Conference. The resolution also advocates the termination of diplomatic relations and the withdrawal of the Indian Government's Agency from South Africa if the Union Government declines to accede to this request.

"How extremely retrograde and reactionary the Bill is, will be clear from some of its provisions. The Indians are prohibited from the acquisition of rights under the Gold Act and have been barred from residence and occupation in the Gold Areas. No Indians shall have the right to reside in or occupy any land which has been proclaimed as a public digging or proclaimed areas or fields. The Municipal authorities are authorised to set apart separate areas for the Asiatics residing within their jurisdiction. Indians trading in the Gold Areas will be given five years notice to quit the area provided they are not protected by the 1919 Act of the Union. No Indians shall have the right to own fixed property. No other person shall hold any property on behalf of the Indian. Such person's charges as well as the property acquired in contravention of this regulation shall be forfeited by the State. Indians shall be allowed to trade only in the areas where they will be entitled to carry on business. Indians in South Africa look upon these provisions of the Bill with profound dismay and consternation. Something approaching a state of panic exists among the Indian merchants there who fear that they will be wiped out of existence if the Bill is passed in its present form. It will relegate the Indians to such an impotent position in South Africa that they will never be able to hold up their heads as members of great Asiatic race.

"The European community in South Africa is often in the habit of raising an alarm on the score of "Asiatic menace." Does the menace really exist or is it a mere ruse on the part of the Europeans to get rid of the Indians? Wild talk of alleged encroachment by Asiatics on European preserves led to the appointment of the Asiatic Inquiry Commission in 1920. After an exhaustive inquiry into the matter, the Commission held that the "Asiatic menace" was a myth and recommended both against segregation and repatriation. But the Union Government was hardly in a

mood to pay heed to these recommendations. The Government of India's Agent, Mr. J. D. Tyson, who acted in that capacity during the temporary absence of Sir K. V. Reddi appeared before the Select Committee which discussed the Transvaal Bill and put before it the strong objections of the Indian community in a masterly statement. His statement based on facts and statistics was such as to convince any impartial person of the justice of the Indian case and disprove for ever the oft-quoted stories of "Asiatic menace". "If 170,000 Europeans in India," declared Mr. Tyson, "can maintain their own standards of civilization amid a population of 320 millions, it seems grotesque to suggest that the existence of 13,000 voteless Indians can be a menace to the civilization and standards of living of 600,000 Europeans in the Transvaal."

"The Rt. Hon. Mr. Srinivasa Sastri, the Rev. C. F. Andrews and Sir Kurma Reddi have often been filling Indians with the hope of the Union Government's change of heart. How baseless their assurances are, is manifest from the Anti-Indian activities of the protagonists of the present Bill who are only biding their time. The exigence of the political situation in this country might be absorbing the attention of the Government of India but that is no sufficient reason as to why it should remain indifferent to the fate of our countrymen in South Africa. It should forthwith give up its milk-and-water policy and advise its Agent-General to take up a strong attitude to save the Indian nationals from 'legalised extermination.'" The South African Congress executive intends soon to distribute copies of its memorandum on the aforesaid Bill in South Africa, India and England and send one to the League of Nations. Mr. Wedgwood Benn said about two weeks ago at the Patriotic Society's Banquet at the Guildhall that "India's position as a member of the League of Nations might be taken to foreshadow her destiny which it is the avowed object of British policy to assist her to achieve." India is a member of the League of Nations. British statesmen have proclaimed *ad nauseum* the equality of her status in the British Commonwealth of Nations. According to Mr. Benn, Dominion Status is already in action in India. How sham and untrue these professions are will be evident only from the abject condition of our countrymen abroad."

### Sir Fazl-i-Hussain's Reply to Deputation

A comprehensive statement on the position of Indians in South Africa was made on the 12th November 1930 at Delhi by Sir Fazl-i-Hussain to Mr. S. A. Wazid, representative of the Imperial Indian Citizenship Association of Bombay, who met the Education Member. Sir Fazl-i-Hussain welcomed the opportunity of meeting a representative of the Association and said :—

"You have referred to the situation created in South Africa by the introduction in the Union Assembly of the Transvaal Asiatic Tenure Amendment Bill and have emphasised that this measure if passed will spell the ruin of Indian traders in that territory. You have also pointed out that the Indian community feels very strongly on the proposal contained in the Bill to set apart certain definite areas for the residence of commercial activities of Indians in the future and for the transfer within five years of such interests as have grown up in contravention of the provisions of the existing law. You say that this provision is regarded as a stigma of racial inferiority by not only such Indians as are immediately concerned but by every section of Indian opinion whether in South Africa, India, or elsewhere. This is but natural.

"I need hardly remind you of the history of this problem. The laws of Transvaal have unfortunately been restrictive in their application to Asiatics. Act 3 of 1885 prohibited Asiatics from acquiring or owning landed property except on special streets, wards and locations that might be assigned to them by the Government to live in for the purposes of sanitation. The Gold Law of 1908, prohibited the acquisition of rights by coloured persons in certain areas in the case of private land in townships on the Rand. The conditions of freehold contain a restrictive clause prohibiting the transfer or sub-letting of any portion of the land to a coloured person or residence thereon of such a person except as a bonafide servant. I understand that as no anxiety was shown to administer the statutory provisions strictly, Indians continued to acquire land on lease for trading in the mining area. They had acquired fixed property through European trustees and also by forming joint-stock companies,



Act 37 of 1919 was aimed at closing both these avenues, and preventing further evasions of the God Law. The existing rights were however protected. Its provisions do not appear to have been strictly enforced and new interests sprang up. Recently, some agitation appears to have been set up against this and it was urged that the spirit of the law was being constantly defeated.

"Early in February 1930 the Union Government, as a result of a number of recent judicial pronouncements, set up a select committee of the House of Assembly to enquire into these questions, and to propose such legislation as it might deem fit. The Government of India have always been conscious of the importance of the Indian interests involved, and it was for this reason that they deputed Mr. U. D. Tyson, who was at one time Secretary to their first Agent, the Right Hon'ble V. S. Sastri, in South Africa, to make suitable representations to the Committee in regard to the safeguarding of the legitimate interests of the Indian population and to give the Indian community such assistance as it might need for placing its views before the committee. As you know, the committee's report, together with its conclusions, which were embodied in a Bill, were placed on the table of the Legislative Assembly of the Union on 13th May and the Bill was read for the first time on the 14th of that month. As soon as the select committee's report and the draft Bill reached the Government of India, they represented to the Union Government that they should be allowed adequate time to examine carefully the far-reaching provisions of the measure. Our representations met with a favourable response, and it was decided to postpone further consideration of the Bill until the following session of the Union Parliament which, in all probability, will commence in January next. The spirit in which our request was met was but another indication of the friendly relations that had been established by the Cape Town Conference.

"Our Agent in South Africa has been and is hard at work discussing the Bill with Indians and others formulating views and reporting to us the situation as it develops from time to time. We sought, last July, the advice of the Standing Emigration Committee of both the Houses of the Indian Legislature on the provisions of the Bill. The advice given by them has been found most valuable and every endeavour is being made to prepare the Indian case as thoroughly as possible. Newspaper reports also show that the delegates of India at the Imperial Conference have availed themselves of the opportunity to discuss the situation informally with General Hertzog in London. We hope friendly negotiations will bring about a satisfactory settlement, honourable and equitable to Indians in the Transvaal. They are, as you say, apprehensive that their interests are in great danger, and that they stand to suffer very serious losses if the Bill is passed in its present form.

"The resolutions passed by the South African Indian Congress at an emergency conference, held in the beginning of October, show the extent of the mental agitation from which the Indian Community is at present suffering, and which it is easy to understand when the interests affected are so large and vital. You have referred to the pride felt by the Indian Community in the Transvaal in their racial origin and in the civilisation of their ancestors which is several centuries old. This feeling is only natural and I can assure you that I yield to no one in anxiety that no harm will come to India's national self-respect or racial pride.

"The question of the danger threatening the economic interest of Indians in the Transvaal is engaging our earnest attention, and we have, as I have said, lost no opportunity of making representations to the Union Government in regard to it. Those representations, you may rest satisfied, we shall continue, for we believe that the question is capable of solution only in an atmosphere of reasonableness from all sides, with due regard to the circumstances of the past. As I have already stated, we have had the benefit of the advice of the Standing Emigration Committee and you may rest assured that you will do all in our power to press for the recognition of legitimate demands.

"As regards East Africa, it is generally admitted that the conclusions of His Majesty's Government, which are set forth in the White Paper issued in June last, represent a considerable advance on the former position. The Indian community has always attached great importance to the principle of a common electoral roll and the Government of India have always lent their full support to this view. We still adhere to the opinion expressed in this regard on former occasions and therefore naturally welcome the declaration that the establishment of a common roll is the

object to be aimed at and attained with an equal franchise on a civilisation or education basis open to all races. The proposal to leave the constitution of the Kenya Legislative Council substantially unaltered is also satisfactory.

"As regards the scheme for closer union, I am aware that apprehensions are entertained in certain quarters that, if three territories of Kenya, Uganda, and Tanganyika are brought together for the purpose of administration, the spirit of the Kenya White settlers, which is one of political domination, might prevail on account of their number and influence, and that, in particular, the interests of Indians in Tanganyika, which is administered under a Mandate, might be affected prejudicially. We shall arrange to apprise the Joint Select Committee of Parliament, when it is constituted, of the views of the Indian community on all these matters. We are told that it will be for the Committee itself to decide what procedure it should adopt in regard to the fulfilment of the task to be entrusted to it. When that procedure has been decided, we shall take steps to see that our views are placed before the Committee in the most able manner. You have referred to certain speeches which are reported to have been made recently in South Africa and also in London, and you say that the general tenor of these speeches and the sentiments expressed therein have made Indians in the Transvaal and here more apprehensive than ever before. I can very well understand that the reports (as they appeared in the Press) of the speeches to which you have referred have caused great dismay to Indians. I myself felt astonished and, to be frank, horrified at some of the sentiments as reported in the Press, and only hope that the full speeches will show that the effect produced in the minds of the readers was due to certain passages having been divorced from their context. I am reluctant to believe that, in view of the great world-movements of thought on these subjects, any of the great Dominions would be prepared to sanction what would seem from the principles of British justice and fairplay that have been, more than once, enunciated by His Majesty's Government. I trust that the two questions of Native policy in East Africa and of Indians in South Africa will be kept entirely apart and distinct and that each issue will be considered separately only in the light of the circumstances germane to it. It is almost an axiomatic truth that the maintenance of friendly and harmonious relations between the various elements that go to compose the population of any country is essential for the progressive development and economic prosperity of that country. South Africa and East Africa are no exceptions to this rule. I have no doubt that they realise the necessity for a feeling of good relationship and racial concord as much as any other country. A class of interests between the different components of a country's population may sometimes be inevitable, but in the adjustment of such differences, a spirit of reasonableness is the only means by which we may hope to smooth away our difficulties.

"Though our task of safeguarding the interests of Indians Overseas is one of very great difficulty and delicacy, it is one on which, as a rule, not only Indian opinion is united, but on which Indian public opinion is reflected in the views the Government of India formulate. Your association may rest assured of our continued vigilance and of our determination to do all we can to promote the interests of Indians Overseas. We know the righteousness of our cause and feel confident that when this is brought to the notice of the statesmen on whom responsibility for these matters rests, they will recognise its justice.

### **Resolutions of S. African Indian Congress.**

The following is the text of the resolutions passed by the South African Indian Congress at Johannesburg on the 5th. and 6th. October 1930 :—

"This emergency conference of the South African Indian Congress held at Johannesburg on the 5th and 6th October, at which are represented the Natal Indian and Transvaal Indian Congresses, and the Cape British Indian Council, representing the Indian community in South Africa, views with great apprehension and alarm the Transvaal Asiatic Tenure Amendment Bill, which it solemnly declares is wholly unacceptable to the Indian community on the grounds that the Bill is a violation, both in letter and spirit, of the Cape Town Agreement ; that it imposes disabilities upon Indians in regard to their trade, residence and occupation and deprives them of their vested rights in the Transvaal Province ; and that it aims at their compulsory segregation and their ultimate ruin in that province.

"This conference [therefore respectfully urges upon the Union Government to withdraw the said Bill and to introduce necessary legislation giving relief to Indians in the province.

"In the event of the Union Government declining to withdraw the Bill, notwithstanding the protest of the community, this Conference earnestly requests the Indian Government to press for a Round Table Conference to review the situation that has arisen affecting Indians in Transvaal.

"In the event of the Indian Government failing to secure the Round Table Conference afore-mentioned, this Conference further requests it to intimate to the Union Government that diplomatic relations between the two Governments should be considered to have ceased and to withdraw its agency in South Africa as a protest against the Bill."

## India in the League of Nations

### Maharaja of Bikaner's Address

The following is the full text of the speech delivered by His Highness the Maharaja of Bikaner, leader of the Indian Delegation, at the eleventh session of the Assembly of the League of Nations held in Geneva on the 15th September, 1930 :—

Mr. President, Ladies and Gentlemen,—The speech with which this discussion opened set in me unforgettable memories astir. For, as a signatory to the Treaty of Versailles, I shared with my old friend, Sir Robert Borden the historic privileges of assisting at the birth of the League of Nations. When I came to the Assembly six years later, it was as the representative of the special interests of "Indian India" as distinct from British India—those Indian States which possess their own internal sovereignty and comprise the territories of the ruling Princes of India, who rule over 700,000 square miles and some 72 million subjects—in other words, about a third of the vastness of India and about a fourth of her teeming people. To-day I have the honour to stand here as the Leader of the Indian Delegation thus symbolising the unity of India in its adherence to the League.

To the emphasis, Mr. President, which has been laid throughout this discussion on the need for making World Peace impregnable, India would have me add hers. The very diversity in which speech after speech has developed this scheme is evidence of the intensity of the sentiment that inspires us. Our common purpose is to seek peace and ensure it, and no array of difficulties, however great, must be allowed to dishearten us. Yet it was but a few years back that mankind still believed that glory was to be won through war. Happily, out of evils has come good, and the civilised world torn by the suffering of those long years of war, is changing its whole outlook. And, as I listened to the speech of my gallant friend General Hertzog, I could not help calling back to my mind what I myself said here six years ago : "It is not among the ranks of those who have borne the burden of the fight that fire-eaters are usually to be found ; for soldiers, after all, are the best judges of the horrors of war, the keenest to descry where its dangers lurk, the most impressive advocates of peace. I myself am a soldier ; I am descended from an ancient fighting stock from amongst the martial races of India ; I have known war and its horrors. And there is to-day none who more deeply desires to see the whole force of our being dedicated to the service of peace."

In that service much has recently been done ; witness the Pact of Paris, the Optional Clause, the London Naval Treaty to all of which India has adhered in that devotion to the cause of peace with which she will set herself to the examination of the General Act at the forthcoming Imperial Conference.

But the greatest task of all lies ahead. If the world is to be saved from the devastation of other wars, whose horrors would assuredly exceed the worst horrors it has known, there must be a limitation of armaments real, universal and substantial. That there can be no effective security without such limitation no one knows better than the soldier. No one knows better than the soldier the practical difficulties

which stand in the way. But these we must face and surmount. And though India has special difficulties of her own and special need for vigilant preparedness along her vast frontiers, peopled as they are by war-like tribes against whom the machinery of the League affords no protection, she is ready to collaborate in all schemes or disarmament compatible with her security. For the will to peace inspires and ever will inspire her. Should anyone doubt it let him read her philosophy, with its embodiment of the most complete and consistent code of pacificism in the world.

With such ideals India cannot but be friendly to the underlying aims of that European co-operation of which M. Briand gave so eloquent an exposition the other day. Nevertheless, may a word of warning come without offence, and yet not without force from the East. M. Briand disarmed criticism, it is true, by disclaiming all ideas of organising Europe in a spirit of antagonism to the outside world. Indeed, he described his plan as one of those regional agreements which so far from impairing, are designed to fulfil the purpose of the Covenant. But is there not a danger in these early years of the League that a plan for the closer union of Europe may give rise to misapprehensions outside Europe itself as running counter to the basic conception of the Covenant that the League exists not for Asia but for the world? Any impression that Europe, better organised industrially, thanks to its mastery of the applied sciences, than most of the old and some of the young, non-European countries, is seeking to consolidate its industrial position to the detriment—however unintended—of less fortunate parts of the world which might conceivably lead to consequences, which no member of the League could desire. It was indeed a happy instinct that prompted M. Briand to refer the whole question to the League, so that not merely Europe, but all members of the League might be given an opportunity for considering how far the League machinery could fitly be adopted to the treatment of such regional problems. And does not the inter-dependence of the various countries of the world and the organic connection between industry and agriculture, point insistently to the desirability of making all international co-operation in the economic sphere, not sectional or regional, but, so far as possible, worldwide? For what affects one part of the world, to-day must react sooner or later upon others. And what affects industry must ultimately react upon agriculture.

Thus, although industry was the first to feel the effects of post-war depression, agriculture is feeling it now, and in its turn, is depressing industry still further. The depression of agriculture and the depression of industry are indeed organically allied problems and embrace the whole world between them. Hence, what seems to me at any rate needed is for the technical organisations of the League to investigate the means whereby agriculture and industry alike can now be rescued and safeguarded hereafter against a recurrence of this worldwide depression. And, although I myself speak here with the difficulties of a layman, I hope that the Indian Delegation will be able to make concrete suggestions to this end in Committee.

Let no one, Mr. President, misunderstand the tenor of my remarks. Smooth words come easily enough to the lips. But without sympathetic criticism—where criticism is needed—there can be no progress. One and all we are loyal to the League; of that our presence here to-day is evidence. But it would be a poor sort of loyalty that fought shy of fearless introspection. It is not enough for us to serve the League blindly. We must serve it with that loyalty that comes of clear-sighted courage.

### Work of the Indian Delegates

This year's Assembly of the League of Nations is of particular significance from the view-point of India's interest in International affairs. A decade of League history justifies an inquiry into this important question.

India contributes about fifty lakhs of rupees every year towards the League budget, and stands next in order to the five major European Powers and Japan. She contributes more than thrice the quota of Canada, South Africa, the Irish Free State or any other self-governing Dominion of the British Empire. Again, none of the mid-European States and even Spain came near to the Indian quota to the League budget. Year after year Indian delegations have paid their homage to Geneva at public expense. But the question what is India's interest in international affairs and, consequently, what is the benefit derived by her from participation in annual discus-

sions at Geneva has not so far been satisfactorily answered. Incidentally, the question of India's own contribution to the discussions at Geneva has also to be considered. Two main factors emerge out of these inquiries. First, the Indian delegations to Geneva have not so far been happily formed. As yet the Indian Parliament has not been given the right to nominate these delegations and vest them with responsible powers, through the medium of a representative cabinet as is done by every other State member of the League. No doubt, the services of eminent Indians like the Rt. Hon. V. S. Srinivasa Sastri, Sir C. P. Ramaswami Aiyar, Sir K. V. Reddi, Sir Mahomed Habibullah, Sir Deva Prasad Sarvadhikari, Sir J. C. Coyajee, Sir Chimanlal Setalvad, the Maharaja of Bikaner, to name only a few at random are not forgotten. But the question has to be faced whether the time has not come for a definite lead in this direction in order that India—a self-governing India—can direct her own policies in the international spheres as every other Dominion does. The second significant fact is that certain important questions are outside the competence of the Indian delegation to raise and discuss at Geneva. Without being unfair to the Maharaja of Bikaner and Sir Denys Bray, any member of the Indian delegation may be willing to offer his advice to the other fifty-two delegations of the world assembled at the Batiment Electoral on the need for disarmament and on arbitration and security. But it is a tacit unwritten convention that first-class political questions of an intra-Imperial and international character affecting India are outside the pale of Geneva discussions. Even questions like Indian emigration which are of vital interests to India are to be left out of the range of discussions by the League Assembly. The alternative procedure, that of discussion at the periodical Imperial Conferences in London, is extremely unsatisfactory. That this is so is clearly manifest by the fact that even though the Land Revenue Bill in the Transvaal and the future of the Kenya constitution which are of vital interest to the Indian overseas community are matters of extreme gravity, they are left out of the agenda of the Imperial Conference now sitting in London. These are the two directions in which progress ought to be made now and deliberately. The question can be asked here, will the Round Table Conference do this? Equality of *status* and equality of *function* ought to be harmonised if India's membership of the League is to be of any significance and value.

During the past ten years, much benefit has been derived by India in connection with the Labour and industrial legislation implemented by the International Labour Conference year after year. As far as the work of Indian delegations to the League Assembly is concerned the successful efforts in 1921 and 1924 to economise League expenditure and the general work of Indians on Committees dealing with the health organisation, the opium and dangerous drugs questions, the traffic in women and children, the possibilities of international intellectual co-operation deserve mention.

This year India's contribution to the League discussions is worthy of particular note. The Maharaja of Bikaner and Sir Denys Bray, as already alluded to, have done excellent work in the discussions on arbitration and security and disarmament. Sir Zulfiqar Ali Khan made an impression in the Committee dealing with traffic in opium and other dangerous drugs. Sir Devaprasad Sarvadhikari made a brilliant speech in the Committee charged with the reorganisation of the machinery available for the promotion of intellectual co-operation. Sir Basanta Kumar Mallik acted as substitute to Sir Denys Bray when the latter was compelled to go to England on account of unavoidable domestic circumstances.

#### MR. BAJPAI'S SPEECH

Mr. G. S. Bajpai, C.B.E. I.C.S. Secretary to the Government of India in the Department of Labour, Health and Lands, Secretary to the Maharaja of Bikaner and member of the Secretariat of the Government of India at the Round Table Conference, spoke well and made a good impression in the Committee discussing the reorganisation of the League's administrative services. With his vast departmental experience at Delhi and Simla, Mr. Bajpai unravelled the intricacies of the reorganisation of the Secretariat of the League, the International Labour Conference and the Registry of the Permanent Court of International Justice at the Hague. It will be recalled that a Committee generally called the Sokal Committee, after the name of its Polish chairman, on which Sir Atul Chatterjee had served admirably, issued a majority and minority report dealing with the minutes of secretarial

organisation and that the Italian Government submitted a strong memorandum containing a full scheme of counter-proposals. I have already dealt with the discussions on these matters in an earlier despatch. It is only intended here that Mr. Bajpai's work at Geneva should be recognised in India.

#### SIR J. C. COYAJEE'S RESOLUTION

For the first time in the history of the League, an Indian delegate was able to present a resolution demanding an exhaustive enquiry into a world problem and tendency and carry it through the Assembly without a dissentient voice. A Professor of the Calcutta University in Economics, and a member of the Royal Commission on Currency in India, has very little difficulty in offering his authoritative opinion upon the means necessary to prevent the progressive scale at which economic depression in the world from becoming a menace to world civilisation. In a lucid speech which occupied forty-five minutes, Sir Jehangir discussed the various factors adversely affecting the economic prosperity of the world and suggested the measures necessary to prevent the ravages of economic depression. In lucidity of expression, in wealth and detail, in agility of argument, Sir Jehangir's speech maintained a high order of debate. It is most gratifying for India that his resolution has been successfully carried through the Assembly. If the work outlined in this resolution is productive of good to the world in one manner or another, as it undoubtedly will, India's membership of the League will be held in admiration by the sister States of the world. (From the "Hindu" of Madras.)

## India in the Imperial Conference

### Maharaja of Bikaner's speech

The Imperial Conference of 1930 assembled in the Locarno Room of the Foreign office in London on the *1st October, 1930*.

An assurance of India's desire to remain within the Empire, "despite all that has happened and is happening in India", was given by the Maharaja of Bikaner in replying to Mr. Macdonald's speech of welcome. He prefaced his remarks by acknowledging that it was due to the courtesy of Mr. Wedgwood Benn that he spoke on behalf of India. He joined in tendering loyal greetings and an assurance of unswerving devotion and attachment to Their Majesties the King and Queen.

Bikaner recalled that he delivered at the Imperial War Conference of 1917 a special message of goodwill on behalf of the Princes emphasising their loyalty to the throne, friendship with nations of the British Commonwealth and determination to co-operate most fully in the cause of Empire. The Maharaja continued that he desired to repeat that message to-day and assured the Conference that it could count on the Indian delegation's full contribution in dealing with important problems to be examined. Turning to the important problem—Indian constitutional problem—which, for obvious reasons, did not appear on the agenda since it was primarily for India and Britain to solve and would be the subject of consideration at the Round Table Conference, Bikaner said that he wished to remind all of the supreme urgency to the Empire of an early and satisfactory solution on courageous and statesmanlike lines. "To omit all reference to it will be to fail in our duty to the King-Emperor and Commonwealth. We also owe it to our colleagues from the Dominions to enlighten them on the question which I expect each has asked of himself during the last few months, namely, 'Does India wish to remain in the Commonwealth?' My answer, despite all that has happened and is happening in India, is 'yes'.

"The Princes and subjects of Indian States, whose interests I have the honour specially to represent, of course retain their loyalty to the King Emperor and their attachment to the Empire undimmed and I venture to say that the great bulk of people of British India are desirous at heart that their country should occupy an

honourable place in the British Commonwealth. If this aspiration can be satisfied, as it is my hope and belief that it may be, the future will be full of promise. Indian States have their own special problems, but there is nothing in the claims inconsistent with their desire to help India towards the promised goal."

The Maharaja of Bikaner referred to the King-Emperor's well-known sympathy and solicitude for the Princes and people of India. He said that the British Government were happily alive to the gravity of the issues involved and were animated by a sincere and sympathetic desire to promote a settlement in conformity with the legitimate Indian aspirations and solidarity of the Empire. The Maharaja of Bikaner concluded that India was confident that, in the delicate task awaiting the Round Table Conference, she might count also on the good-will of the great Dominions whose freedom in unity within the Empire represented the ideal of all that was best and despite appearances, most influential in contemporary Indian politics.

*The plenary session of the Conference discussed Imperial economies on the 8th October.* Besides the delegates and the staff Sir Manubhai Mehta and Sir Robert Borden attended the session.

Sir G. Corbett (India) pointed out that the constitutional declaration of 1926, which had made the present discussion possible, did not extend to India. The constitutional future of India would be discussed at the Round Table Conference. It was true that India, by convention, was free to determine her own fiscal policy, but he was sure other members of this Commonwealth would understand and sympathise with her if India at present approached the question with some reserve.

Sir G. Corbett dwelt on the enormous possibilities of the Indian market and pointed out that while the total value of India's seaborne trade had increased from 290 millions sterling in 1913-14 to 414 millions, the share of the Empire in it had diminished. This was partly due to the changes in the Indian market but the share of India's export purchased by Great Britain was disproportionately small, namely 22 per cent, while her share of India's imports was 43 per cent. The gap between the price of raw material and the cost of finished article tended to be wider in the case of British manufactures than in the case of foreign manufactures. This gap was further widened by the heavy increases in Indian tariff in war time and after the war, but it was not true that India was a highly protected country. Ninety-five per cent of her customs duties were imposed solely for revenue purposes.

Sir G. Corbett pointed out that receipts from Indian customs duties were actually below the military expenditure of 41 millions sterling a year or nearly one-third of the total revenues of India, because India had to defend what could be regarded as the Imperial frontier. He then explained the Indian policy of discriminating protection and pointed out that the fixing of differential duties on British and foreign goods in the case of steel and cotton textiles had resulted in the closing of the gap between the prices of British foreign imports so enabling British goods to compete on better terms with foreign goods in the large market remaining to them. In classes of steel on which differential duties were imposed British imports had increased by 103,000 tons while foreign imports had increased by only 14,000 tons.

Sir G. Corbett concluded with the statement on India's attitude. He said that India was ready to consider favourably all schemes designed to encourage the development of trade with all other countries of the British Commonwealth but was not prepared to depart from her present policy of discriminating protection. Therefore she was unable to commit herself to any general tariff preference within the Empire but must reserve complete freedom to deal with each case as it arose.

# British India and Indian States.

July-December 1930.



# Indian States & R. T. Conference

## Indian Princes' Statement

The following statement was issued by the Indian Princes on the Simon Report on the 17th. July 1930 :—

1. The Princes disclaim any desire to pronounce upon the recommendations of the Simon Commission in regard to the domestic problems of British India. So far as regards the portion of the Report which bears upon the States, considering the inter-relation of the proposals touching British India and the States and the implication of the Report as a whole, they feel that a more minute and detailed examination of the Report will be necessary than has been possible in the time at their disposal before any final views can be expressed. They are, however, gratified at the endorsement by the Commissioners of their contention already admitted by the Butler Committee that, by the nature and provisions of their treaties whose binding character has been repeatedly affirmed by successive Sovereigns of England since the days of Queen Victoria, the relationship of the States is to the British Crown. It follows that closer political association with British India for the purpose of co-operation in All-India concerns must depend upon their free consent on terms fair and mutually acceptable to them and British India. They, therefore, consider that the suggestion that their official relations should be with the Viceroy as representative of the Crown provides a useful basis for exploring through the Governor-General the avenues that may lead to a satisfactory solution of the question of providing for closer association of the States with British India without infringement of their sovereignty, and they are gratified that the Commissioners recognise that, in view of the reality of the interest of the States in matters of common concern to India, means for ensuring co-operation between British India and the States must be found. They realise that the future evolution of an All-India polity can only be on federal lines. A system designed to safeguard their rights of internal autonomy would be the most satisfactory solution of India's problem.

2. The Princes, however, cannot be expected to regard with satisfaction certain proposals of the Commissioners or of their financial assessor such, for instance, as those that concern the economic claim of the States. These proposals appear to subordinate the just claim of the States to the dictates of the financial exigencies of British India, or make the acceptance of that claim contingent upon the doubtful results of the operation of their constitutional recommendations, more particularly in regard to the Provinces of British India.

3. As regards the proposal for the constitution of a Council, or Greater India, the Princes are disposed to accept the suggestion in principle, but it should be obvious that the composition as well as the procedure and the rules of business of this body will have to be settled in discussion with them.

4. The Princes regret that no proposal has been made by the Commission for the immediate institution of a Supreme Court. They consider such a Court to be an essential pre-requisite to any scheme of federation.

5. Repercussions of what may happen in India before and after the Round Table Conference, all within the next few months, which may well prove the most critical in her history, must be taken into serious consideration in relation alike to the future of this country and indeed of the British Empire. The present situation cannot but cause the gravest anxiety to the Princes and their States who have ever been inspired by deep-rooted feelings of unflinching personal loyalty and devotion to the King-Emperor by attachment and friendship for the British Emperor as by the most patriotic feelings for their country. The Princes, therefore, venture to take this opportunity of giving expression to their confidence in Lord Irwin who, though faced with serious difficulties within and without India, is yet persevering in his attempt to serve the best interests of India and Great Britain and they earnestly hope that, during the remaining few months of His Excellency's Viceroyalty he may be enabled to see

contentment and tranquility restored in India and to secure for her the position which is her due as an equal partner in the British Commonwealth.

### Maharaja Bikaner on the Conference

At a luncheon held on the *3rd November, 1930* at the British Indian Union in London in honour of the Indian Delegates to the Imperial Conference, the Maharaja of Bikaner as the principal guest delivered the following speech :—

"We are witnesses of the pangs and travail at the birth of nationhood. Seeds of these great forces were sown a century ago when the English was chosen as the medium of the higher education. The soil has been continuously warmed and fertilised by the vivid contact with English literature and English institutions. Stage by stage, sometimes too slowly, sometimes perhaps quickly, India moved to a position when the demand for self-government inevitably arose and the passion (I cannot use a less expressive word) for equal status in the world became the overmastering desire of the hour. Rightly understood, this is not only natural but should be the pride of all who laboured in and for India.

"The political awakening of India is thus neither limited nor unnatural. It is the inevitable result of 120 years of association with Great Britain. You cannot teach a people as receptive as ours the British literature without awakening in them desires and ideals akin to your own.

"If sometimes, the political evolution of India seems to lean to the extreme, the explanation is not a change of political faith but the clouding of the faith by pessimism. This cannot be banished by involving the hope that mak eth the heart sick, but only by a determination to translate these ideals into realities.

"The imperative need of the day, therefore, is for courage, and sympathetic and imaginative understanding, not for distrust and timid caution. To me and my colleagues at the approaching Round Table Conference (from British India as well as from the territories of ruling princes) has been committed the great responsibility of welding these forces into the constitution which will place India firmly on the road to full political stature and an equal place within the British Commonwealth of Nations. We shall approach this task with the fullest sense of responsibility in the spirit of service and the spirit of humility, but in confidence that we can achieve success if we work in union and understanding.

"You will ask, as indeed I am asked wherever I go, "What will be the ambition of India when she assumes these powers and all onerous responsibilities they entail? Before attempting to answer that question I would beg everyone to remember that there are two parties in British Indian politics.

"There are those, who are not unjustly described as extremists, aiming at Complete Independence of India and the establishment of a Socialist Republic or some other form of Government, which has never been clearly defined. From them we are as wide as poles asunder. Then there is a great body of opinion, loyal at heart to the Crown, yet resolute in the determination to win for India, as soon as may be feasible, full Responsible Government and equality of dignity and status in the British Commonwealth of Nations, but which pursues the path of ordered progress and believes that India can fulfil her destiny under the aegis of the King Emperor. The policy of the Princes and the States at the Conference will be determined by their representatives now assembling in London and will necessarily be influenced by the circumstances that arise, but, speaking for myself, I shall indeed be surprised if the States don't lay emphasis on the two essential conditions which I had occasion previously to outline both in India and since my arrival here.

They are :

Firstly, that India retains the British connection as an equal partner in British Commonwealth of Nations and

Secondly, that an equitable agreement is reached between all parties concerned to govern the relations of the two Indias ensuring for the States their due position in the future constitution as co-equal partners with British India, guaranteeing their Treaties and internal Sovereignty and safeguarding their interest, including those of their subjects on terms just and honourable alike to the States and British India.

“Subject to a recognition of these essential conditions, I am confident that the Princes and States will readily support all legitimate proposals emanating from their friends in British India.

Further, I feel that I may safely add that we shall cheerfully devote all our energies and influence in co-operation with the representatives of His Majesty's Government and the Imperial Parliament to securing for India that control of her own affairs and that fullness of stature in the Empire which I, in common with many others, sincerely believe to be in the best interests of Great Britain and my motherland.

With that definition I can reply to the question in the words I used at the opening of the Imperial Conference the other day. “In spite of all that has happened and is happening, India does wish to remain within the Commonwealth. Princes and subjects of Indian States, of course, retain undimmed their loyalty to the King-Emperor and the attachment to the Empire and the great majority of the people of British India are, I firmly believe, desirous at heart that their country shall occupy an honourable place in the British Empire. It is surely our common task to see that with the continuance of the British Indian Union this aspiration is satisfied to the great and enduring benefit of all concerned.”

### Nawab of Bhopal on R. T. Conference

In course of his speech delivered on the occasion of the opening of the Seventh Session of the Bhopal Legislative Council, in September 1930, H. H. the Nawab of Bhopal said :—

As a rule the States refrain from commenting on events beyond their borders, but when political developments are of all India importance and such as may concern us directly it will not be misunderstood if we expressed our views regarding them. Last year I had the occasion, as a fellow Indian interested in the peace, prosperity and progress of this ancient land and as well-wisher of the Empire, to refer to the political situation in British India. I had then said British India is forcing the pace towards complete self-government and we of the Indian States have declared, more than once, that our full sympathies are with them in their aspirations towards the attainment of Dominion Status within the Empire. At the same time I had struck a note of caution. “New Order”, I said, “is taking the place of the old and those who have any administrative responsibility, therefore, find themselves faced with a task which has to be approached with the greatest caution, prudence and statesmanship.” These words were spoken on the 21st September, and on the 31st October, Lord Irwin, than whom India has not seen more sympathetic and sincere friend, who had just returned from England where he had been pleading and pleading successfully the cause of India, made his memorable announcement at Delhi, which shall live as a great land mark in the constitutional history of this country. It is impossible to over-rate the importance of that announcement. It did not leave any doubt in the mind of anybody as regards the goal of British policy in India. By declaring that he was authorised on behalf of His Majesty's Government “to state clearly that in their judgment it is implicit in the Declaration of 1917, that the natural issue of India's Constitutional progress as therein contemplated is the attainment of the Dominion Status”. His Excellency removed the whole question from the plane where different interpretations could be put on the intentions of the British Government underlying the enactment of 1919. Henceforward, the issue was clear. The only question that remained to be solved was to discover ways and means to remove such difficulties and obstacles as lay in the way of attainment of that cherished goal.

### QUICKENING OF THE NATIONAL SPIRIT.

I do not suppose there is any reasonable person in the country or in England who does not appreciate and sympathise with the quickening of the national spirit and the desire for freedom, which have marked the development of political thought in this country. This awakening of national consciousness in India is undoubtedly the result of, and a great tribute to, the British connection. But those who realise the

full significance of the Viceroy's announcement and have intelligently followed the development of the more recent constitutional practice in the Dominions would unhesitatingly admit that Dominion Status provides the fullest scope for the realisation of the national aims and aspirations of British India and for the fulfilment of the desire of her people to manage their own affairs. It is, in many respects, better than the precarious isolation, rendered growingly impossible by the shrinking of the world, and the knitting closer of its people into one family with their inevitable and essential inter-dependence—an isolation advocated by some who do not seem to realise, or realising, minimise the advantages, the security and the chances of peaceful progress and international co-operation, which the membership of the British Commonwealth of Free Nations carries with it. Of that Commonwealth India has a full right to seek an honourable and equal partnership, and I have the fullest confidence that with goodwill and true statesmanship, both on the part of England and India, it will not be impossible to find a solution of the problem which will be satisfactory to all concerned. Great Britain in many ways has done a great deal for this country, and we must not hesitate to express our gratitude to her. At this critical juncture also, she can be relied upon to deal with our problems with that breadth of vision and that farsighted liberalism which would uphold the reputation her people have earned of being the greatest champions of freedom and the leaders in the art and practice of self-government.

#### "UNCONSTITUTIONAL METHODS"

But while everybody would appreciate and sympathise with the desire of India for freedom, and for an honourable and equal position in the Empire, there is no Indian who wishes to serve her real interests, who would not strongly deprecate, the use of unconstitutional methods and condemn resort to violence. Disrespect for law and authority and disregard for life and property destroy the very basis of society. We have the sad example of some Asiatic countries before us. Let us take a lesson from them, and effectively provide against any possibility of a repetition of those conditions in India. With a sincere and sympathetic Viceroy like His Excellency Lord Irwin, determined to help India in her constitutional struggle, there is no reason to feel pessimistic. In order that he may be able to establish the happiest relations between England and India, and be able to secure for our Motherland her due place among the nations of the Empire, it should be our duty to assist him to the utmost of our capacity. This is all the more necessary in view of the fact that he must have been seriously handicapped in his great efforts to solve the problem of India by the unfair and unnecessarily bitter criticism of his policy by certain people abroad, who seem to consider themselves better qualified to deal with India's problem than the man on the spot, who by reason of his personal knowledge and experience of Indian affairs should be fully relied upon to know and understand the situation in all its bearings, far better than his critics can from a distance of several thousand miles. India's problems deserve to be kept above the plane of party politics in both the countries so that India and England may permanently unite and march together to bring peace, prosperity and goodwill amongst the people of the world.

It is for these reasons that I regret all the more that the parleys recently conducted did not succeed in ending the political impasse and failed to induce a section of Indian opinion to participate in the task of framing a constitution which would remove the barriers from the way of our progress, and guarantee to every interest, class and community its just and legitimate rights. Thus alone, if at all possible, the various classes, interests and communities, which go to make up the population of this country could have been welded into one synthetic cosmic whole and a nation reared which would have played the role in world politics to which it was entitled alike by its past achievements and present importance.

His Majesty's Government in England and His Excellency the Viceroy have offered India their hand of friendship. The Viceroy went as far as he could to satisfy the various points of view in the country. No representative of the King Emperor could, in the circumstances, have done more or given further assurances. No Government could on the eve of a free and fully representative conference have given pledges which would have rendered all discussion at the conference futile and might have unduly compromised and prejudiced the position of the different and

vital interests in the country. It is most unfortunate, therefore, that a section of important opinion in the country has not been able to recognise and to appreciate the constitutional difficulties of other responsible persons and has decided to persist in a course of action which may ultimately lead to disaster.

#### THE ROUND TABLE CONFERENCE

The policy of the British Government towards India has been more than once clearly defined by responsible Ministers of the Crown, affirmed by authoritative pronouncements of the Viceroy, and sanctioned by a formal Act of Parliament. This policy is based on broad principles of Self-Government within the Empire, and on a clear recognition of the right of India to manage her own affairs. It is inconceivable that pledges so solemnly given and so often repeated would not be redeemed. I am convinced in my own mind that the proposed Round Table Conference represents a genuine and sincere attempt on the part of responsible statesmen of Great Britain to find an amicable and honourable solution of the Indian problem in spite of its complexities and difficulties. I have no doubt that the discussions at the Conference shall be full and free, unfettered by any preconceived notions or prejudices. Full weight will be given to the decision arrived at by the Conference and we have the authority of no less a person than His Excellency the Viceroy himself that they shall form the basis of the proposals to be submitted to Parliament. It is in this belief that I have accepted the kind invitation of His Majesty's Government to participate in the Round Table Conference. My view of the situation is that the measure in which India will be able to influence and mould these decisions will entirely depend on the extent to which it will be possible for her to present her case with a united voice. If India do not succeed in adjusting their difference at home and thereby fail to achieve in England that measure of freedom which is their birthright, the responsibility will be theirs and it will not be fair to lay the blame for it at the door of others. We cannot aspire to achieve anything great till such time as we have learnt to rise above petty jealousies and blind fanaticism which under the cloak of religion have become the curse of our Motherland.

As to the form that the future Constitution of India should take, I would only repeat what I have already said on another occasion. We should scrupulously avoid blindly imitating the West and guard ourselves against a wholesale and promiscuous importation of its institutions. It would be unwise not to profit by the experience of the West, but the constitution we finally decide upon should be such as would suit the genius of our people, be in harmony with our cultural outlook and answer the varied and peculiar needs and requirements of our country. In short, a constitution, which whilst embodying all that experience has taught us would, instead of cutting us adrift from our glorious past, maintain essential historical continuity and enable peaceful progress.

#### THE STATES' ROLE,

The States and the Princes instead of being a drag, as is alleged by certain people, would only be too glad to co-operate in the evolution of such a scheme and contribute materially towards its success. After all, the States and British India have more or less a common outlook on life. No ethnical barriers divide us. We have shared their sorrows and their griefs, when they have prospered we have rejoiced; when they have suffered we have grieved. We have sympathised with their just and legitimate aspirations, but we do not want the rights and interests of our people to be sacrificed, or made subservient to the rights and interests of the other half of India. Nor do we wish to lose our own identity. We want to maintain intact our sovereignty and our integrity. It is painful to observe the recklessness with which certain people impute motives to this demand and generalise irresponsibly that there exists a conflict of interests between all the Rulers of the States and their people. Of late a tendency has been discerned in a certain class of politicians in British India to decry anything connected with the States which are still governed by Indians, and to refuse anything good in them. We can only deplore such a mentality and hope that it will be realised that there are, and have been, Rulers than whom nobody else has greater solicitude for the good of their people and who have done and shall continue to do their best to safeguard the rights and interests of their subjects and to promote their well-being. The resolve of the States to retain

their identity and maintain their sovereignty arises no less from a deep concern for the rights of the people than out of regard for dynastic interests. In the States the two go together, and any scheme affecting the political future of India as a whole must take full cognisance of the right, privileges and position of the States, and be based on their willing consent if it is to be just and successful."

Gentlemen, as you are aware, I am shortly leaving for London to attend the Round Table Conference. In the discussions that will take place at the conference it will be my duty to protect your interests and to serve India and the Empire to the best of my ability. May God Almighty guide us aright and help us to come to decisions which will usher a new and a brighter era in the relations between India and Great Britain, an era of peaceful progress and prosperity and lay the foundations of abiding good-will and enduring friendship between the two great nations.

#### INTER-COMMUNAL AMITY IN BHOPAL.

Gentlemen, as you all know, the people of Bhopal, have been all along free from any kind of ill-feeling between the Hindus and the Mussalmans. Whenever there has been any occasion to refer to the relations between Hindus and Mussalmans, it has been my pride to have been able to say that in my State they have lived like brothers in perfect amity and concord, rejoicing and suffering together as one single community. It would, therefore, naturally be most painful to me if, God forbid, the occasion arose, which was likely in the slightest degree to diminish my pride in this connection.

Certain people, both Hindus and Musalmans, who had lost touch with our traditions and had not been for sometime under our influence and control, may for the time being find it difficult fully to imbibe the spirit, which has all along kept the two communities together in Bhopal. These Mussalmans may at times forget that as subjects of a Muslim State it is their duty, as it should be the duty of every Mussalman, to be extra-magnanimous, large-hearted, tolerant, and sympathetic towards those of their fellow subjects who may belong to the other communities. Similarly, perhaps, these Hindus may not in the excitement of the moment occasionally realise that they stand to loose nothing by respecting the religious susceptibilities of their Muslim brethren. I have, however, sufficient confidence in their good sense, be they Hindus or Mussalmans, and in their love for the fair name of Bhopal that they will do all in their power to strengthen further the bonds of friendship, mutual regard and respect for each other's religious sentiments which exist between the two communities in my State. I need hardly reiterate that it shall be my duty and the duty of my Government to do our utmost ; to cherish and maintain that good-will and amity between the Hindus and Mussalmans which have been the proudest heritage of the people of Bhopal. In this I hope I shall not be relying in vain on the willing co-operation and support of all sections of my people.

## Indian States and Round Table Conference

### The Bangalore Conference

The Conference convened by Sir Mirza M. Ismail, Kt., Dewan of Mysore, commenced its deliberations in Bangalore, on the 19th. August 1930. Over 100 leading officials and non-officials attended the Conference. Sir Mirza M. Ismail, in initiating the proceedings of the Conference, made the following speech :

Gentlemen,

I wish to extend a very hearty welcome to you, and specially to the distinguished statesmen representing our sister States of Travancore, Cochin and Pudukottah, who have honoured us with their presence here to-day, to the representatives of the planning community, who are now holding their annual meeting in Bangalore, and to

those who have come in at considerable personal inconvenience from distant parts of the State.

I have requested your presence here to-day so that we may take counsel together regarding the attitude to be adopted and the proposals to be made at the Round Table Conference by the Indian States in general, and by the South Indian States in particular. It is not necessary that I should dwell at any length on the great importance of the Conference in regard to the political advancement of India. The proceedings will be watched with critical interest not only by the two countries directly concerned but also, I may venture to say, by the entire civilised world.

#### THE SIMON REPORT

It was perhaps inevitable that the Simon Report should have come in for much hostile criticism in India. This was partly due no doubt to the pervading atmosphere of mistrust in India at the time it was published, but I wonder if the shortage of copies available for distribution to the public has not been responsible for at least some of the unfavourable criticism of which the report has been subjected—criticism which seems to me to be based in many cases on an incomplete understanding of the proposals. I feel that the opinions expressed by some critics would have been less hostile if facilities had been available for a full and dispassionate study. I hold brief for the report but I must say that there is in it much with which I find myself in agreement, though there is also a good deal with which I cannot agree. It is undoubtedly a weighty production which it would be unwise to discuss in a hasty spirit of prejudice. Nor would it be either fair or reasonable on our part to expect the British Government to ignore a report which has been prepared by seven distinguished members of Parliament representing all parties and which is regarded by their countrymen as a great essay in constitution making, worthy of the closest study and destined to rank as a State document of historic importance.

#### THE ROUND TABLE CONFERENCE

Whether we like it or not, there is hardly any doubt that the Simon Report will form the main basis of discussion at the Round Table Conference—and I personally think rightly so, owing to the definiteness with which it raises the issues, assembles the relevant facts, and sets forth the arguments which support its views. This is not, however, to say that the Report need monopolise the field, or that it even represents the last word of Great Britain to India. If that were the idea, there would be no need for a Conference.

In discussing the proposals, I would particularly deprecate heat or vague denunciation—for passionate outpourings have no strength in them—and it is on the soundness of our case that we must rely. I would, therefore, plead for a close study of the Report with an earnest desire on our part to understand and weigh it with an unprejudiced mind. Let us adopt such of the recommendations as we think are suitable, and ask for modifications of such others as are, in our opinion, unsatisfactory or unsuitable.

I am convinced that the success of the Conference will depend far more upon the attitude of the Indian delegates and on the ability with which they put forward their case than on anything else. If our countrymen can speak with one voice and display a strong unanimity of purpose, it is hardly likely that Great Britain will refuse to listen and to move in this great matter in accordance with the general principles of political justice and human wisdom. If we are hopelessly divided among ourselves, and are, in consequence, unable to present a united and reasoned demand, it will be no use blaming others. Parliament will feel bewildered and will hesitate. India's voice will be lost in factious clamour. There will be nothing but disappointment for her in the end, all because her representatives were unable to sink their differences and "postpone all selfish seeking to the common good."

The Round Table Conference is to have complete freedom in carrying on its deliberations and formulating proposals. The British Government have not seen their way to say, in so many words, that the purpose of the Conference is to devise a constitution for India on the basis of a self-governing dominion with the necessary safeguards so far as the Army, foreign relations and certain other matters are concerned. Now it may be said that the terms "Dominion Status," "Self-Government" and "Self-determination" are merely catch phrases, which denote

certain abstract ideas. It may be said that such ideas are useless if we attempt to use them as pillars in the erection of the edifice which we desire to build. Nevertheless the use of these terms would have gratified India beyond measure. Moreover the British Government would have lost nothing by using them, since, as a matter of fact, they are inviting concrete and practicable proposals to bring these very things into existence, immediately, at any rate as soon as possible. The Congress, on the other hand, is insisting on the use of these expressions, overlooking to my mind, the fact that the substance and not the name is what it really wants and what really matters. It seems to me that it does not matter in the least whether you call your spade a spade or by some other name so long as you are free to dig with it and thereby sow the seed from which the plant of Indian Self-Government will grow. Let us therefore make definite and concrete proposals; let us suggest such modifications of the Simon recommendations as will take us as close to the goal as practicable. Whether the constitution that results therefrom is called Dominion Status, or something else, will not matter very much. It appears to me that it is all a dispute over words, for there seems really no difference between what India is asking for and what the British nation, if the Round Table Conference recommends it, is prepared to give.

There are, I think, three major problems which India has to solve before she can hope to attain complete self-government. One is the problem of the British community; another is the Hindu-Muslim question; and the third is the problem of the States.

As regards the first of these, I sincerely hope that as soon as the present excitement subsides, the solution will be found in the restoration of the goodwill which has existed hitherto. The British community should not have the slightest ground for the suspicion that they will be treated as aliens in the changed India. Rather should they be made to feel they will be full citizens of the country, enjoying all the rights and privileges enjoyed by those who are native to the soil.

#### HINDU-MUSLIM PROBLEM

The Hindu-Muslim problem is one which has been exercising the minds of our countrymen for a long time. A really satisfactory solution has yet to be found for it, but I am optimistic enough to think that will be found. And it goes without saying that the moment the many different religions, sects and castes learn to live amicably one with another, an enormous advance towards the unification and independence of India will have been made. Till then, we must agree to proceed on the present basis, losing no opportunity of cultivating goodwill, and not rejecting the mediation of friendly neutrals.

#### THE INDIAN STATES

I now come to the problem which concerns us here to-day, that is the problem of the States. And here we find ourselves in conflict, in the first instance, with a section of politicians in British India who do not disguise their intense dislike to the States. To quote one among many pronouncements of these gentlemen, I find in a book that has recently enjoyed a large circulation in England the statement that "if by a fiat of the Socialist Government in Britain all the Indian States were abolished, none would be more happy than the subjects of the States themselves." That the States which have flourished so long under the British Government should have incurred the animosity of their own countrymen seems an irony of fate. While I do not deny that there are States which are certainly lagging behind the times, I doubt if the wholesale adoption of democracy on the pattern of Western countries, such as some persons in British India are demanding, is the only satisfactory form of government. Furthermore, it is one thing to envisage changes in the administration of the States, called for by the spirit of our times, and quite another to ask for their total extinction. It is the Indian States that are the custodians of the ancient learning and culture of India. It is in the Indian States, rather than under the westernised administration of British India, that ancient customs and hallowed traditions can best endure. The Western countries themselves are beginning to be extremely doubtful whether after all democracy is the best form of government. Even where they maintain it, each nation adopts it to its own traditions and temperament. American democracy is as a



wide departure from the British model as British democracy is from the Greek. Meanwhile the Indian States are developing towards a form of constitutional monarchy, and I for one shall not be at all surprised if they, or some of them, succeed ultimately in evolving a form of government that is specially suited to the Indian temperament.

#### FEDERAL INDIA

The Commissioners at the outset of their proposals have laid down as one of the fundamental principles that "any constitutional changes now recommended for British India must have regard to a future development when India as a whole, not merely British India, will take her place among the constituent States of the Commonwealth of Nations united under the Crown." They deduce the corollary that the "ultimate constitution of India must be federal, for it is only in a federal constitution that units differing so widely in constitution as the Provinces and the States can be brought together while retaining internal autonomy." In thus envisaging a United India, the component parts of which must be both the British Indian Provinces and the Indian States, and in definitely declaring themselves in favour of a federal constitution, I venture to say that the Commission has made a distinct and valuable contribution to the development of Indian polity. When however they surround this vision of a federally united India with the misty twilight of a distant future, I find myself at variance with them. It is quite possible that the march of events may be more rapid than the Commissioners seem to anticipate. Nor is it likely that the country will watch in patience and contentment the slow and the halting evolution of a federal union by the gradual accretion of individual States to a Federation of Provinces. The more probable, and decidedly the more desirable process would be the immediate reorganisation of the Council of State on an All-India basis. I consider that an enlarged Council of State (appropriately re-named) elected on a wider franchise in which the representatives of Indian States would have their due place, should be the pivot of the new constitutional machinery. It would be necessary so to define the functions of this body as to place within its purview all matters of common concern to British India and the States, while harmonising its functions and procedure with those of the Lower House whose concern would be mainly matters of importance to British India.

Holding as they do an All-India Federation to be a matter of slow and distant achievement, the Simon Commission has proposed as the first and necessary steps towards the federal goal the creation of a Council for Greater India, consisting of representatives of British India and Indian States, with powers of deliberation and consultation in matters of common concern, to be duly scheduled by mutual agreement. This proposal has been accepted by the Ruling Princes with reservations as to proper safeguards in respect of the composition and procedure of the Council. It is a matter for consideration whether, failing such immediate closer participation as I have suggested above by the Indian States in the new constitution of India, such a Council may not serve a useful purpose at least by tendering possible a systematic and continuous examination of matters of common concern by the Indian States and British India.

The keenness on the part of the Indian States to retain their individuality, crystallised by history, and to safeguard their internal autonomy is accompanied by a frank and cordial recognition of identity of interests with the rest of India. It is only as friends and neighbours, by mutual understanding and goodwill, that we can succeed in evolving the greatest partnership that the world has ever known.

#### SUPREME COURT

It has been assumed by the commission that a supreme Court will be required only when the form of ultimate federation has been decided and questions arise relating to the limits of the respective powers of the Federal and the States Legislatures. The Supreme Court is, in other words, held out as a distant ideal. The States have, however, a special interest in the institution of a tribunal that shall have powers to decide matters at issue between themselves and the Government of India and Provinces, or even between the different States themselves. Such a

tribunal is a necessary part of a federal constitution, and the sooner it finds a definite place in the constitution of the Indian Commonwealth the better.

#### FINANCIAL RELATIONS

A third matter of importance is the equitable adjustment of financial relations between the States and British India and the just appraisal of claims and counter-claims that arise in this regard. The question is one which requires much fuller investigation than it has received, and this investigation it will receive, I hope, from the Expert Body whose appointment has been suggested by the Indian States' Committee.

With the satisfactory solution of many problems—perplexing no doubt but far from insoluble—confronting India, peace and goodwill will reign the country once more, and our Motherland will attain that position in the comity of nations which the British people, no less than her own, so ardently desire for her.

### General Discussion

After the Dewan had finished his speech, which was greeted with applause, there was a free and frank expression of opinion on the part of many members, both official and non-official, who took part in to-day's deliberations. On behalf of the Nationalist party, a manifesto was read, which dealt in detail with all the aspects of the case. So far as to-day's discussion showed, there was practically an unanimity of opinion about the immediate necessity and possibility of a Federal India. The advocates of this theory pointed out that Federalism as a constitutional method had succeeded to an amazing degree in the United States of America and as such there was no reason why the experiment ought not to be tried in India. In fact, there was only one solitary dissentient voice against the idea of Federalism. The member who struck this solitary note pointed out that Federalism in the true sense of the word was not possible in India, where there was a large number of about 600 States.

The general trend of discussion towards the creation of a Council for Greater India was against such a measure.

The Simon Commission report came in for a good deal of criticism at today's deliberation. The speakers pointed out that the report had put dismay into the hearts of the people of India and clearly pointed out that the Simon Report should not be the last word in the matter of the future constitution of India.

The necessity for a Supreme Court for India met with warm approval from every speaker that spoke to-day.

Speaking about the attitude of the British people towards India, in the future constitution of India, a member of the British community observed that when the Indian delegates went to London, they would find in the Britisher a desire to discharge the responsibilities which Great Britain has held out to India from time to time, in order that India might as soon as possible attain that status which she desired. The speaker hoped that there would be sufficient goodwill and trust on both sides at the Conference.

A few of the leading non-officials regretted that the people of the Indian States were not given separate representation at the conference.

A reference was also made at the conference to the Peace Negotiations going on at present and the speakers hoped that some satisfactory solution would be arrived at and that the Congress under the lead of Mahatma Gandhi would send representations to the Conference and guide the deliberations in shaping the destinies of the future of India.

#### SECOND DAY—28TH AUGUST 1930.

"The time has come when Indian States cannot stand apart. They must integrate with British India." This was the view expressed at the Conference by Mr. T. Raghaviah, President of the Council of Regency, Pudukottah. This view was also shared by all sections of the house.

Very valuable suggestions were also made in the meeting both by the non-official and official members present. Sir P. S. Sivaswami Aiyar spoke for nearly an hour, advocating the unitary system of Government as the best suited for British India.

## GENERAL SUPPORT TO FEDERAL IDEA

Most of the speakers advocated Federalism. A retired member of Government, who had contributed several articles to the Press about the problem of Indian States, while advocating Federalism, observed that the autonomous powers of the States should not be interfered with. There should not be levelling the States down, to suit British Indian Provinces. It should be on the other hand levelling up the British Provinces to keep them on a par with the Indian States.

A retired Chief Judge of Mysore, supporting the idea of a Federal Constitution observed that it was in the interest of the States to see that their constitution was such as to give every unit the fullest possible freedom not only for individual development, but for their evolution into a Common-wealth. Viewed from this standpoint, it seemed clear that the interest of the States could in no way be different from or opposed to the interest of the Provinces of British India. The correct attitude of Indian delegates from the States would therefore be to support the just and reasonable claims of the British Indian people.

It was absolutely essential that the States' delegates should whole-heartedly co-operate with the delegates from British India in making the new constitutions as liberal as possible, and especially with reference to the central executive, military expenditure, etc.

The Simon Report was severely condemned by almost every speaker, though one or two expressed the view that it was a weighty State document. The members pointed out that the report carried with it a certain degree of self-condemnation.

A strong appeal was made by a Member of the Legislative Council to the British Indian politicians to take greater interest in the problems of Indian States. He pointed out with facts and figures that the States were contributing indirectly to the British Provinces and appealed to the British Indian delegates to see that Mysore and the other States got the due share of the Central Revenues.

An appeal was also made to the Dewan of Mysore to use his influence to see that the Round Table Conference was not held without Gandhiji.

Sir Mirza Ismail, in concluding the proceedings, thanked the members for their valuable suggestion and assured them that he would have the interests of India always at heart and expressed the hope that India would soon take her rightful place in the comity of nations. (From the "Hindu" of Madras).

## Memorandum of the People's Party

The following note signed, among others, by Messrs. B. Narasinga Rao, D. V. Gundappa, V. Venkatappa, D. S. Mallappa, A. Krishna Rao, Mirle Lakshminaranappa, H. B. Gundappa, P. Subbarama Chetti, K. T. Satyanaryana Setty, D. H. Chandrasekharaiya, Mannaji Rao, Kadam K. Chengairaya Reddi, S. Siddaiya and Belur Srinivasengar (all invitees to the Conference) was presented at the Conference on the 19th. August. The note dealt in a connected and comprehensive way the views of the various aspects of the question of the future of the Indian States as the considered views of the signatories. They stated :—

"We are firmly of the opinion that in all matters coming up for discussion at the Conference in London the supreme consideration should be the good of India as a whole ; and that States and Provinces should be prepared to yield some of their special or separate interests if necessary in order to secure it. Of course no violation of their integrity and character as distinct political entities should be permitted : and there should be equity, as far as possible, in the sacrifices they are asked to make for the common good. Having due regard to these two conditions we should direct our efforts towards the unification of India wherever possible and look at every question from the standpoint of India as one nation.

### "THE CONGRESS INDISPENSABLE"

Holding this opinion, as we do, we naturally feel that the London Conference could produce no satisfactory results unless the Congress be persuaded to participate in it. The Congress unquestionably represents an overwhelmingly large part of the public of British India—classes and masses alike; and as such, it is a factor of unique significance and power in Indian politics. Apart from considerations of our national unity, it would not be even a policy of prudence for the States to do anything which might make it appear that they would let themselves be isolated, or might antagonise to them the democracy of British India. The great leaders of the Congress like Mahatma Gandhi, Pandit Motilal Nehru and Pandit Malaviya have never said or done anything opposed to the interests of the States or their Rulers. We, therefore, think that expediency as well as principle requires that the Governments of the States should impress upon the Government of India and His Majesty's Government the utter futility of attempting to solve India's problem behind the back of the Congress and the imperative necessity of their taking such steps forthwith as will serve to bring the representatives of the Congress into the Conference.

### REPRESENTATION OF THE STATES' PEOPLE

We likewise hold that it would be proper for the Government of the States to urge the desirability of inviting a few independent representatives of the States to represent the people of the States at the Round Table Conference, in addition to the Ruling Princes and Ministers. Among the subjects coming up for consideration at that Conference, there are bound to be questions of two kinds which are of peculiar concern to the people of States : (i) the effects produced on the rights and the interests of the people of the States by the economic and political policies adopted by the Central Government, and (ii) the reactions of the democratic movement of British India on the minds of the States' people. In regard to these and connected questions, it is quite possible that the Princes or their representatives may not feel they are quite free to express themselves unreservedly owing to their political entanglements. In any case, public men of the proper kind being in constant touch with the popular mind and unhampered by official considerations, would be able to press the States' point of view with that understanding and emphasis without which there could be no satisfactory solution of the country's problems. And, it is obvious, on the other hand, the presence of such non-official spokesman of the States cannot do any harm whatever. We, therefore, submit that it would be both useful and graceful if the Governments of the States would see their way to press the claims of the public of the States to be represented at the Round Table Conference.

### THE IMMEDIATE NEED

We are decidedly of the view that the States should insist upon the adoption, by the Round Table Conference, of a scheme of All-India federation, with responsible self-government in all spheres and Dominion Status in all imperial relations—to be achieved with the greatest speed practicable. We believe that it is quite possible to devise such a scheme, providing for direct participation by the people of the States in All-India political life, at the same time securing a larger measure of internal autonomy for the States and guaranteeing a permanent position of undiminished honour and prestige to the Ruling Princes. The outlines of such a scheme may be seen in the memorandum entitled "A Dominion Constitution for India including the States" adopted by the South Indian States' People's Conference (1929) and by other similar public bodies subsequently. We admit that, on points of detail, this memorandum may be liable to modification and that alternative proposals may be suggested. But on essential points, it may be taken to represent generally the views of the public of the Indian States.

We may here take occasion to point out three of the many considerations which actuate us in urging the entrance of the States into an All-India Federal polity. The well-known constitutional principle of "no taxation without representation" is at present being violated in the case of the considerable contributions, both direct and indirect, which the people of the States have been making to the revenues of all-India. What the States ask for is not so much the return or refund of a share of the taxes paid by them as an adequate voice in the decision of those taxes. Sir Walter Layton has himself admitted that "the issues involved are not merely a share in the proceeds of the taxes, but also a right of consultation in regard to financial policy." We, in other words, want to have a hand in all financial and

allied legislation which affects the States along with British India. The other essential principle of "no power without responsibility" is also being transgressed in the case of the States' people. Though we are not subject to the laws and law-courts of British India, our lives are in many ways being affected by the Executive Government of British India. Our destiny is particularly under the control of the Political Department of the Government of India, which has countless ways of influencing the Purlbars. But we have at present no constitutional means of compelling the attention of the Government of India to our grievances and needs, or of causing a scrutiny of the actions of its agents. Federation, we expect, will bring us some of such power. Federation will also help to widen our political outlook and raise our status as citizens. It will open larger opportunities of service to men of talent and public spirit among us and serve as an encouragement to those who feel drawn to political work.

#### THE SIMON REPORT

We submit that no notice need be taken of the Simon Report. In their remarks on the appropriateness of a federal polity for India and on the quite obvious need, for that purpose, of a schedule of subjects of common interest to both British India and the States, the Commission are only repeating ideas that have founded general acceptance. Their special contribution is only the plan of a Greater India Council. While the advantage which this body holds out is altogether doubtful, its disadvantages are plain and forbidding: (i) It will perpetuate the present bifurcation of national politics. (ii) The position of the States in that body is bound to prove irksome. (iii) Since it is meant to be a consultative body endowed with no responsibility and no authority, it is bound to generate a sense of wasted effort which will reproduce itself in bitterness all round. Far from facilitating the process of federalisation, it can only hamper and delay that process.

#### SUPREME COURT PROPOSAL

We consider a Supreme Court for India to be an essential part of a federal constitution. The present combination of both litigant and judge in the Government of India, and the absence of open and regular judicial processes in cases of civil dispute between a State and the Government of India or any of its Provincial branches has long been a cause of grave hardship to the States. If justice should be secured to the States, there must be an independent tribunal to adjudicate upon all matters of difference between them and the Central or any Provincial Government of British India. Details as regards the constitution and functions of the Supreme Court are set forth in Section 5 of the Memorandum of the South Indian States' Peoples' Conference above referred to.

#### AN EXPERT COMMITTEE FOR FINANCIAL ADJUSTMENTS

As for fiscal and financial adjustments it seems to us that they can be considered under two heads.—General.—Certain general sources of revenue such as customs may be definitely assigned to the Central Government, the States and Provinces agreeing to be merely its agents and receiving charges payable for this service. They can claim no share or refund under these heads, common service by the Central Government being sufficient consideration. Special.—Where the Central Government renders any special service to a State, or is engaged in any enterprise jointly with a State, or where the two have a common source of revenue in consequence of any peculiar local circumstances, both would have a claim for an equitable distribution of the surpluses. In cases of both kinds, many details have to be ascertained and assessed; and this can be done only by a body of experts including States' representatives. Such an expert committee will be an indispensable auxiliary to any federal constitution. It will have to lay down methods of financial settlement from time to time. There will, of course, be no payment of subsidy by the States under the Federal Constitution.

#### RESPONSIBLE GOVERNMENT WITHIN THE STATES

Finally, we cannot help observing that the adoption of a Federal Scheme by the Round Table Conference will not become feasible unless the Government of the States make up their minds to accept the system of Responsible Government for their own people and announce that acceptance in unequivocal terms immediately taking in hand at the same time the work of initiating the needful administrative and constitutional reforms towards that end, so that the promise may become

fulfilled within the shortest period of time possible. The small States of Phaltan and Aundh have already taken a step forward in that direction ; and if other important States do not come forward similarly, it will be hard to meet the gibes of opponents of India's freedom like Lord Meston. He has said :—"Now, Federation is a blessed work ; but it cannot cause oil and water to mix. What type or structure are we to find for a federation which is to unite Provinces under a democratic parliamentary system with States governed by absolute monarchy ?" More than half of the difficulty of the problem of India will have been removed if the Ruling Princes make it plain that they are willing and are preparing themselves to come into line with British India—if indeed, they cannot set an example to it,—in the promotion of democratic government.

It seems superfluous that we should explain that, in formulating the above proposals, our intention is not even in the least to see the positions of the Princes weakened or lowered. On the contrary, we are emphatically of the opinion that their security and dignity would be the best assured when they and their Governments are placed in truly constitutional relations with their people, as is His Majesty the King-Emperor. Our concern is simply to ensure that allegiance rendered to the Princes does not involve any inferiority of citizenship to their subjects, and that far from serving as a handicap, it helps them forward in political progress alongside of their brethren of British India.

Though the above paragraphs are in the form of a general representation to the Rulers and Ministers of the States all over India, we need scarcely say that we intend them in an especial sense for the sympathetic consideration of the Government of Mysore. Our State has so long enjoyed the leadership of the Indian States in progressive ideas, and the present conditions here approximate already so appreciably to those which we wish to see developed in the near future, that we feel encouraged to hope that our Government will not hesitate to accept and act upon the suggestions above offered. It is our earnest desire that Mysore should appear at the Round Table Conference not simply as the advocate of a social party or a particular interest, but as a whole-hearted champion of the entire cause of Indian Nationalism in all its manifold implications.

We wish to express again our thankfulness for this opportunity of stating what we believe to be the considered views and long-cherished aspirations of our fellow-citizens ; and with that, we should like to couple the expression of our confidence that the Government will readily appreciate the aspects of the case presented by us and do all that is possible for the fulfilment of the objects thus represented.

## The States' People's Conference

BANGALORE—31ST. AUGUST 1930

The States' People's Conference met at Bangalore on the 31st. August 1930 under the presidency of Prof. G. R. Abhayankar of Poona. The proceedings began with invocation by Conference volunteers, after which Mr. C. V. Narasingha Iyengar, Chairman of the Reception Committee, delivered his address welcoming the delegates to the Conference. In opening the conference he said :

The States' problem has two aspects : (i) Internal, (ii) External. I mean by the former that aspect of the problem which concerns the internal constitution of the States' Government and by the latter that aspect of it which concerns the relationship of the States to the rest of India in the All-India polity of the future.

### THE INTERNAL ASPECT

With regard to the internal constitutions of the States, the need for thorough reforms is now generally felt. At present the Government of the States are pure autocracies. In some of the more advanced States, autocracy has a thin veneer of constitutionalism. A semblance of representative institutions is to be found in such States but no real power whatever is vested in these institutions and they are no more than debating societies and the Ruler is all in all. Not even in the most

advanced States, do we find any guarantee for fundamental rights of citizenship. There is no independent press in any State. Here, in Mysore, which is reputed to be one of the most advanced States, during the last two years, almost all independent newspapers have ceased to exist. Hardly a fortnight ago, a newspaper which gave a brief survey of events in the State, since the Bangalore disturbances of 1928, received a warning from the Government. There are States in which there is no distinction made between the State Revenues and the private income of the Ruler. In many States, the Rule of Law does not exist, the judiciary being in a subservient position. Under such conditions there are no guarantees for good Government in the States. The nature of the Government is a matter of chance, being dependent on the character and temperament of the Ruler. The control of the paramount power can no longer be regarded as a safeguard against administration. The result of the FitzPatrick enquiry into the serious allegations made against the Maharaja of Patiala has shown us what reliance can be placed on that control.

To my mind the only safeguard against misrule that we can think of is Responsible Government. Constitutional monarchy of the British type appears to be the form of Responsible Government best suited to the States. An additional argument in favour of Responsible Government is that the combination of the States with the rest of India in a federation will not be practicable if the States were to continue to be under autocratic Government.

#### THE EXTERNAL ASPECT

The second part of the problem relates, as I have already stated, to the position of the States in the future All-India polity. The solution of this part of the problem must of course depend on the type of constitution that may be adopted for India.

At the threshold of all constitution making, is the question whether the constitution should be of the unitary or the federal type. We have necessarily to expect great differences of opinion in the matter. Each school is anxious to justify its position in as forceful a manner as possible. In the last resort, the discussion inevitably tends to reduce itself to one of academical importance, for a celebrated French constitutional writer observes: "A constitution is not a pudding but is a growth." There is a beginning and an end to all our attempts at constitution making. We can after all give but a rough outline of the future constitution. Whichever form we adopt it has necessarily to adjust itself to the varying needs of the community for which it is intended.

The Indian Princes generally speaking are not averse to the federal idea. The conference of Princes held to consider the Simon Report have also expressed their desire to agree to a scheme of all-India federation.

With a sense of pardonable pride I refer to the views of His Highness the Maharaja of Mysore in this matter in his own words: "We sincerely hope that as a result of the conversation which His Excellency is inaugurating in this matter and with the aid of your wise statesmanship a way may be found in which it will be open to us to play an honourable part as partners with the British provinces whatever form of federal government may hereafter be decided upon."

There is therefore substantial agreement that the future constitution of India if it is to include the Indian States ought to be of the federal type. But the history of India from ancient times up to the present day has taught us the advantage of a strong central Government. I do not think that we would be well advised in casting off the lessons that history has taught us; and in the details to be worked out, we have therefore to insist on a strong stable central federal government with a good source of income.

Several schemes have already been worked out. By far the most complete and detailed is that contained in the memorandum of the South Indian States' Conference. I am sure that in this conference we shall be able to bestow the fullest attention to the several details of the federal scheme—the outlines of the constitution of the central government and the component parts, the allocation of subjects between the central and the constituent governments, the financial adjustments including the scheme for federal and provincial revenues, and the apportionment of the revenues among the central government, the provinces and the States, and last but not least the creation of a Supreme Court.

Mr. Belur Srinivasa Iyengar proposed Prof. Abhayankar to the Presidential Chair. In doing so, he referred to the activities of the Professor in the cause of the subjects of the Indian States. Messrs. Visvanatha Aiyar of Pudukottah and

Achuta Menon of Travancore seconded and supported the above proposition respectively. The President was then installed in the chair and was profusely garlanded amidst deafening cheers.

### The Presidential Address

Pro. Abhayankar, who, on rising to speak, was received with loud applause, then delivered his address, which was punctuated with repeated applause and received with rapt attention throughout. He said :—

Since your Conference held its session last year at Trivandrum under the distinguished presidency of Sir M. Visvesvarayya, the illustrious administrator and statesman of Southern India, much water has flowed under the bridges. The report of the Indian States' Committee presided over by Sir Harcourt Butler was published as also the report of the Simon Commission has been out. Both these documents deal at considerable length with the problem of the Indian States. I have reviewed in detail the report of the Butler Committee when I presided over the Deccan States' People's Conference in May 1929. I do not wish to cover the same ground over again.

#### THE BUTLER COMMITTEE

Though the composition of the Butler Committee was not satisfactory, and did not represent all interests concerned, though opportunity was not given to British India and Indian States' people to represent their views, though its work was conducted in camera, and though the Committee showed studied discourtesy to the delegation of the Indian States' people, it is a matter of satisfaction that the exhaustive memorandum published on behalf of the Indian States' People's Conference had its effect on the members of the Committee and we find that they have laid down in paras 49 and 50 two important principles. One is that the duty of the Paramount Power to protect the States against rebellion or insurrection imposes on it the correlative obligations to demand that the princes shall remedy legitimate grievances and an obligation to prescribe the measures necessary to ensure this result. This is not a new principle, but the reaffirmation of one which was enunciated by Lord Lytton in his despatch to the Secretary of State for India prior to the rendition of Mysore. The second principle laid down by the Butler Committee is that if attempts are made to eliminate a Ruler and to substitute another form of government due to a wide-spread popular demand for a change, the Paramount Power shall be bound to maintain the rights, privileges and dignity of the ruler: but it shall be bound also to suggest such measures as would satisfy this demand without eliminating the Prince. This is a most legitimate principle which is the natural corollary of the right of protection from internal commotion claimed and enjoyed by the Indian Rulers. It is, however, a matter of extreme surprise that the so-called enlightened Princes have raised a strong protest against this principle and have resented the action of the Butler Committee in laying it down in an unequivocal manner. If the people of an Indian State carry on an intensive agitation for a change in the form of government and make it impossible for a Ruler to administer his State, would it not be necessary for such a Prince to call in the aid of the Paramount Power to suppress such an agitation? If he does not resort to this appeal for help he shall have to submit to the forces of revolution in the State. If the Ruler therefore wants to save himself from such a catastrophe, is it not legitimate on the part of the Paramount Power, before it can afford protection, to ask him to satisfy the claims of his people and their legitimate aspirations? This then is a correlative obligation following from the duty of protection. Secondly, not only is it not dangerous but it is positively beneficial to the Ruler as it ensures the permanence and continuity of his rule and his dynasty. We are however unable to understand what is meant by the high-sounding words hereditary and traditional forms of Government. If they mean the divine right to misrule, as observed by Tupper, we have to enlighten these Princes that the days of divine right to rule, and that too in an autocratic and irresponsible manner, have gone for ever. I have referred to these sentiments only to convey to you what is at the back of the mind of a group of Princes whom Sir William Barton has described as the non-intervention group who are struggling to maintain their autocracy intact against the surging tides of democracy.

The Simon Commission report has referred to the problem of Indian States.



By the strict terms of reference as contained in the Statute in Section 84-A of the Government of India Act, the Commission was not charged to deal with the question. Sir John Simon in the letter which he addressed to the Premier in October last drew attention to the importance of bearing in mind the relations which may develop between British India and the Indian States and obtained the Premier's assent to consider the problem. It is really very surprising that this important idea dawned upon this Commission at the *fig* end of their inquiry after they had almost completed their investigations extending over nearly two years. Even so the Commission never heard the parties to this question, never elicited information from the witnesses or called for the opinions of people who were vitally concerned with the same. On the approval of the Prime Minister they have considered this problem of the Indian States and this procedure is thoroughly unconstitutional because neither the Chairman of the Commission nor the Prime Minister was authorised to go beyond the express provision in the statute. The consideration of this problem was undoubtedly necessary and just as Parliamentary sanction was obtained to appoint the Simon Commission before the statutory period, similar sanction should have been obtained to widen the scope of the inquiry. There would have been then an occasion to demand a thorough inquiry about this subject and the collection of material and evidence bearing on the same. The Commissioners' action therefore in this respect is not sanctioned by law and perfunctory and one sided in character. The Commission has acted upon the *ex parte* report of the Butler Committee and a good deal of the material placed before the Butler Committee in this connection in camera. The Commission has failed to notice, that this material is also collected and put in by only one party to this problem in camera and that too is not subjected to the test of cross-examination. The conclusions therefore of the Simon Commission bearing upon this problem of Indian States are one-sided, defective, thoroughly reactionary and utterly unacceptable just for the same reasons as the recommendations of the Butler Committee are. There is a statement in the report that "the relations of the Indian States to any future constitutional framework of British India is within our terms of reference." With due deference I have to submit that Section 84-A does not at all include this subject in the terms of reference. The report does not support this statement by any authority. As the Simon report is engaging the attention of so many people and parties in this country and in England I hope you will excuse me if I dwell at some considerable length on this part of the report, which affects our interest in a highly prejudicial manner.

#### DIRECT RELATIONS WITH THE CROWN.

As regard the proposition that the Princes and Chiefs are in direct relations with the British Crown the Commission has not given any reasons in support of this theory. This theory of direct relations with British Crown is a pure fiction latterly invented by the champions of autocracy and is now countenanced by the bureaucracy for their own ends. It is significant to note there is a deliberate attempt to evade the definition of the word Crown used in this phrase. To us it plainly appears that this fiction is invented solely to deprive the future Government of British India of the authority of the paramount power over the Indian States to preserve intact all the privileges, perquisites, emoluments and pleasures of life which are enjoyed by the satraps and Viceroy and by the diplomatic service called the political department. The Indian Princes, especially of the non-intervention group, have shown their willingness for this change obviously from selfish motives.

#### INTERFERENCE IN INTERNAL AFFAIRS.

Interference into the internal affairs of a State is a correlative obligation imposed upon every paramount power. The non-intervention group of the Princes are challenging the right of interference of the Paramount Power. In a well-administered State there is no reason to believe that unnecessary intervention would ever take place. It is obvious that the right of intervention is one of the incidents of Paramountcy. It has till now been exercised by the political department over 100 years. Even if the Viceroy is the head of Indian India with the portfolio of Indian States, with the diplomatic service under his command, there is not the slightest ground to believe that there would be any change in the exercise of this right of intervention by the Paramount Power. We, therefore, entirely fail to see why the Princes should warmly welcome this change in the agency of the Paramount

power from the Governor-General-in-Council to a single-man rule of the Viceroy who would be irresponsible and also a military dictator under the scheme of the Simon Report.

#### THE OTHER PROPOSALS.

The third proposition about an amendment of Section 33 of the Government of India Act is to give legal sanction to the division of India into two parts. Consistency requires a similar change in Section 2 clauses 1 and 2 of the Government of India Act. If Indian India is to be under the control of the Viceroy the Commission does not say if he is to be subordinate to the Secretary of State and if he is to pay due obedience to all such orders as he may receive from the Secretary of State. The Report observe: "Even at present however the foreign and political portfolio of the Government of India is always held by the Viceroy himself." This is not a correct statement of fact. The word Viceroy is not recognised in the constitution. So far as the composition of the Government of India is concerned it is the Governor-General and not the Viceroy who holds the portfolio of the foreign and political department. It does not require much wisdom to appreciate that a Council Government is undoubtedly better than one man rule. Even during recent times members of Council have protested when action was taken of a drastic character in a grave political case behind the back of the councillors. Under the scheme suggested by the Report there is no possibility of any political case going before the Executive Council of the Governor-General. There would thus be a departure in a retrograde manner in this respect. This recommendation therefore is utterly reactionary and cannot be accepted.

#### TRANSFER OF PARAMOUNTCY

The fifth proposition about the exercise of paramountcy is most dangerous for the growth of any Dominion Government in British India. It suggests that the authority of Paramountcy should be transferred from the future Government of India to the Viceroy controlling Indian India. But the result of this devolution would stultify any Government of the future functioning in British India. It is to be regretted that the Commissioners have not applied their minds to the evil consequence that would ensue by taking away this right of Paramountcy from the Central Government in British India. The suggestion therefore of divesting the Central Indian Government of the right of paramountcy over the Indian States would not only seriously impair the efficiency of the Central Government in British India but would prove highly detrimental to the Princes and people alike in the Indian States. This suggestion is most mischievous and suicidal to the growth and development of any Swaraj constitution in India. This arrangement would create two rival Governments saturated with all the evils of the worst diarchy.

Again although the Viceroy is the president of the Chamber of Princes, so long as the office of Viceroy is not recognised in the constitution and since the Royal Proclamation inaugurating the Chamber of Princes dated 8th Feb. 1928 was addressed by His Imperial Majesty to "His Excellency the Viceroy and Governor-General," the statement of the Commission that the Viceroy in this connection is the representative of the British Crown rather than the head of the Indian Government is unwarranted. It is merely an attempt to put an interpretation suitable to the new fiction of direct relations with the Crown.

#### COUNCIL FOR GREATER INDIA

The proposition about this subject would never be acceptable to British India. Reading between the lines it is apparent that the principal inspiration for making several of the recommendations detailed above bearing on Indian States comes from the Butler Report and the *ex parte* evidence recorded by that Committee *in camera*. It is further to be noted that, in matters of common concern for which the Council for Greater India is suggested, policies pursued by the British Indian Government are prejudicially affecting the people of the Indian States. It is therefore expected that representation on this Council would be extended to the people of the Indian States. But the Report suggests that the representatives should be chosen by the governing organ of each State. Now the governing organ of each State is nothing but the autocratic will of the Ruler of each State. The Council therefore would be composed of the representatives of the people of the British Indian units and of the nominees of these autocrats so far as the State units are concerned. The Commission has been reiterating that the creation of the Council is intended

to stimulate the growth of federal union between the two parts of India. But the cardinal principle of federation accepted in all the federal constitutions now functioning in the world, namely, that the people living in all the units of a federation should be represented in the federal legislature, is deliberately ignored so far as this scheme of a Council of Greater India is concerned. This proposal therefore is quite unacceptable to British Indians and Indian States' people.

#### THE ARMY

The duty of protecting the Princes from external aggression has till now vested not in the British Crown but in the agents of the Crown. The treaties which contain this guarantee were concluded by the agents of the Crown, namely, the East India Company and the Government of India. The Imperial Government has never discharged this duty nor has it ever interfered with the exercise of this duty. This duty has been performed to the entire satisfaction of the States by the Government of India. So far as the States are concerned there is not the slightest justification to urge that the control and direction of the Indian army should rest in the hands of agents of the Imperial Government. The object of this astounding suggestion apparently seems to be to divest the future government of the power of defence and thus to cripple it and make it thoroughly incapable of bearing the weight of real self-government.

It is very humiliating in this respect to note that the Princes have been used as a plausible excuse for depriving the future government of British India of the control over the Indian Army. It is also very significant to note that the inspiration for this comes openly from the legal adviser of the Princes, from the Butler Committee and from the protagonists of the Indian autocracts. It was Sir Leslie Scott who invented this theory and publicly stated it so far back as May 1928.

The proposals therefore of the Simon Report so far as the army in India is concerned are so deliberately mischievous and so palpably ridiculous that it is very difficult to speak about them with any restraint. No Dominion Government worth the name would ever function deprived of the control over the army. The Indian Princes also can hardly expect to occupy any honourable position under the future federation if the control of the army is not to vest in the federation.

The Princes ought to have protested vigorously against the army proposal. We have, however, the misfortune to see that they have taken the initiative in formulating this diabolical proposal in quietly acquiescing in it and have shown their willingness to co-operate with the Imperial Government on the Advisory Committee. Is this very edifying and patriotic, I venture to ask the Princes?

#### EFFECT ON BRITISH INDIA

To my mind their effect on British India would be disastrous.

India would be divided into two parts, Indian India and British India, each under different paramount authority. There is a desire not to leave this result to mere chance, but legal and constitutional ways have been suggested to effect the dismemberment of Indian India from British India. The proposal to divest the future Dominion Government of right of paramountcy over the Indian States will seriously impair efficiency of the future Government and it would be utterly stultified in practice. The proposal to keep Indian India under a Viceroy unconnected constitutionally with the future Government, with the sole command of the Imperial army, with six hundred tiny despots zealously trying to uphold autocratic rule would make Indian India another Ulster, a thorn in the side of the future government. There is attempt to force economic subordination of British India under the dominating authority of the Viceroy who is created a military dictator. The future government deprived of the control over the army can hardly attain Dominion status in the near future. The Government of British India would be the civil custodian of peace and order subject to the bureaucratic dictation of the security services. The army proposals would result in the inauguration of the subsidiary system of old and would bring about a complete demoralisation both of the Government and the people of British India. The whole scheme of the Simon Report makes it thoroughly impossible for federal union to materialise even in the distant future. The Report has prominently stated all the insuperable difficulties which would make any federal union "the baseless" fabric of a perverted vision.

#### EXISTENCE OF STATES' PEOPLE IGNORED

So far as the States are concerned the Commissioners seem to forget that there are 70 millions of human being with a claim to political and civic rights and who

deserve their consideration. Even the reactionary Butler Committee has done a real service in recognising the force of agitation and the necessity of satisfying legitimate demands of the people in the Indian States. The Simon Commission has scrupulously avoided any reference to the popular movement in the Indian State or any advice to the autocratic rulers to maintain a standard form of civilised government in their States. Their sole aim has been to bring all the despotism in Indian India under a still more despotic control of the Viceroy to serve Imperial interest. They have not suggested any restriction or limitations on the Indian Princes to maintain good government or even that type of government, which they prescribe for British India. The Commissioners have given their sanction to the theory of direct relations of the Princes with the Crown. As regards the effects of this Report upon the Indian Princes it is quite certain that it will prove disappointing and will frustrate the cherished visions of the non-intervention group and would reduce the Prince to a position of abject dependence. The burden of the Indian Princes till now has been that there has been unnecessary interference into their internal affairs ! The complexion of the future government controlling Indian India would be more despotic under the Simon Report scheme than it is now.

#### THE REMEDY

In the transfer of power from the bureaucratic Government of to-day to the future government of the people, there would undoubtedly be an undertaking, just as there was at the time of the transfer of the Government from the East India Company of the Crown, to respect the treaties and engagements as though they were made with them. If the Princes adopt responsible government as their goal there would be no necessity for any intervention into their domestic affairs. It is very easy to establish a convention that if in any State the form of government approximates to that in British India there should be no interference from the Paramount Power. Such a convention would be binding upon the future Government. With such safeguards there would be no justification to suggest that the future government should be deprived of the authority of Paramourcy over the Indian States. The integrity and the autonomy of these States would remain firm and secure. Harmony would be maintained and the situation would stimulate and foster the growth of real federation. If the people of the Indian States are given the same civic rights and political privileges as their brethren in British India, representation of the States in the federal legislature and the federal executive dealing with matters of common concern would be satisfactorily secured and such a federal organisation would be entirely in consonance with the accepted canons. If the States can thus be united with British India and if Great Britain sincerely is to part with power to the future Government and invests it with the authority and dignity of a real self-governing Dominion, India shall have to be given the power of defence. If however, the Princes still persist in bringing about the dismemberment of India and hope to prosper by remaining as an Indian Ulster, they would be looked upon as the enemies of the country by the teeming millions of India. They will forfeit their sympathy. The Princes therefore would have everything to gain and nothing to lose by their political union with British India under one central authority.

#### THE STATES' PEOPLES' DEMANDS

The Indian States' people stoutly oppose the idea of being dismembered from British India. They insist upon the political relations of the States continuing with the Governor-General-in-Council and with the future Dominion Government. They believe that when transferred to an irresponsible Government under a Viceroy they would be under a more despotic sway than the one under which they are at present labouring. They desire that there should be no change in their overlordship and that Paramount authority should not be divided into two places. They further hope and trust that if their political relations are with the future Dominion and if this Dominion is invested with Paramount authority over these States by a close association and moral persuasion, the Princes would be induced to raise the efficiency of their administrations to the level of British India. They fear that innumerable hardships would be experienced in every day affairs if Paramourcy is divided. They apprehend all the evils of dyarchy under such a system. They demand that

in federal union with British India in matters of common concern they should be represented in their own right and not as the nominees of their autocrats. The people of the States assert that the proclamation of 1917 should be accepted by the Princes in the Indian States, as such a step alone would stimulate and foster federal union between the two parts of India and pave the way for a harmonious union with British India on political and economic grounds. They look with horror, upon Indian States serving as Indian Ulster and thus retarding and obstructing the development of Swaraj in India. It will thus appear that all the recommendations of this Commission are opposed tooth and nail by the Indian States' people and they refuse to accept them.

This now brings me naturally to the Round Table Conference. It is now decided that only the representatives of different parties and interests in British India and the representatives of States are to be invited to this Conference. The original speeches of the Secretary of State and Sir John Simon placed both representatives on the same level. What led to the making of an invidious distinction about the States, I do not know. Indian States' people demanded a representation and it was denied to them. It means that 70 millions of His Majesty's subjects are precluded from participating in the deliberations of the Conference.

The most crucial issue before the Round Table Conference would be about the division of Paramount Power into two authorities and divesting the Dominion Government of the Paramount authority over the Indian States. The dangerous consequences of the suggestion have been exhaustively placed before you. The people of the Indian States vehemently oppose this principle.

#### THE BANGALORE CONFERENCE

I am very glad that your distinguished Dewan, Sir Mirza Ismail, had convened the conference of the leading men to ascertain their views about the subjects that are naturally to come before the Round Table Conference. So far as the Indian States are concerned, the recommendations of the Simon Commission, as I have pointed out above, are very mischievous and are unacceptable. The real point is about the divesting of future Government of the power of Paramountcy over the States. I do not know whether this point was discussed at the conference held at this place. It is upon this that the solidarity, efficiency and strength of the future entirely depends. I do not know whether your State dissents from the view of the Simon Report and insists on these powers continuing on the future dominion Government as till now. I was struck by a very sagacious statement in the Dewan's speech that in practice the degree of interference in internal affairs of a State will depend upon the system of administration in such a State—the more constitutionally governed—it is the less justification or likelihood there is or will be for any intervention on the part of the Paramount Power in its domestic concerns. This statement in fact is the crux of the situation. It is, therefore, safe to assume that Mysore at least will not support the mischievous proposal of divesting the future Indian Government of the right of Paramountcy over the States. And this inspires the confidence that the representation of Mysore will strengthen the cause of British India and Indian India.

#### FUTURE SWARAJ

The federation of India for matters of common concern is within the range of practical politics and can be easily achieved without any difficulty. But a most insuperable difficulty lies in the way of political union with British India.

The dominion of the future shall be connected with the States through its power of paramountcy. By the Princes adopting responsible government as their goal this paramountcy in practice will recede far in the background. The great difficulty, however, is how to induce the Rulers to adopt responsible form of government in their States. This can be secured by pressure from without and from within. The pressure from without is to come from the paramount power.

#### THE PRESENT MOVEMENT

The new dispensation of a non-violent non-co-operation which is a sovereign remedy against all evils of autocracy and whose wonderful efficacy has been abundantly proved in British India, has furnished the silver-lining to the clouds hanging

over the Indian States. The recent agitation in British India which has convulsed the whole country, which has given a rude shock to the mighty power, which has brought about a strange revolution in the prevailing ideas of invulnerable prestige has a great lesson for both Princes and the people of the States alike to imbibe. It is time for the Indian Princes to appreciate the inwardness of this movement of tremendous moral force and great potentialities. With few exceptions almost all the Indian Rulers possess hardly any military strength to keep their people in check. It is equally impossible that the paramount power will run to their rescue on every occasion of non-violent non-co-operation and civil disobedience. Wisdom therefore lies in appreciating the realities of the situation and in closing with the people in a spirit of paternal attachments and transparent sincerity. If, however, the Princes still persist in their obduracy, the path for the people is quite clear. Perfectly non-violent in their attitude, they must carry on this fight for liberty and be prepared for all sacrifices. Without invoking the aid of others and depending on their own self-help, this freedom's battle though handed from sire to son is sure to be won. I therefore appeal to you to be alive to this new dispensation and carry on your struggle with faith in God and with readiness for suffering and sacrifice. Victory is bound to crown your efforts.—Bandemataram.

### Proceedings & Resolutions

The reading of the Presidential address took nearly two hours, after which Mr. M. P. Somasekhara Rao, the Secretary of the Conference, read extracts of messages received from leading men in South India regretting the latter's inability to attend the Conference and wishing the Conference all success. Among those who sent messages were Messrs C. Vijayaraghavachariar of Salem, Raghavendra Rao Sarma of Hyderabad, N. C. Kelkar, Kirloskar, Swaminatha Aiyar of Pudukottah, Chudgar of Rajkot, M. Shama Rao, Rajavedi, S. N. Agashi and Dr. V. N. Desai.

#### ARRESTED LEADERS CONGRATULATED

The place of honour among the important resolutions moved to-day was given to the one moved from the chair congratulating Mr. K. T. Bashyam, a leading Advocate of Bangalore, President of the Bangalore District Congress Committee and one of the enthusiastic public worker in the State, Mr. P. M. Rama Sarma, Vice-President of the Bangalore Labour Union and 11 others on their incarceration late yesterday by the First Class Magistrate of Bangalore on charges under Secs. 109, 143, 147 and 426, I. P. C.

The following resolution was next moved from the chair and carried unanimously :  
 "This Conference expresses its warm and grateful appreciation of the self-sacrifice, courage and determination of such citizens of the Indian States as have joined the National campaign for the freedom of the Motherland."

#### DEMAND FOR SWARAJ

Mr. A. B. Salem of Cochin then moved the following resolution :

"This Conference is convinced that there can be no peace and prosperity for any part of India unless full Swaraj is established for the whole of India, and calls upon the people of the States to support and participate, in all possible ways, in the national efforts for the immediate attainment of that goal."

In moving the above resolution, Mr. Salem said that he considered it a great shame—and he wanted to be frank and honest in the matter—to look at the Simon Report and the recommendations of the Butler Committee. The time had come when they had to look up to their own efforts and not to the efforts of others for their framework. People in India could have no peace or prosperity until full Swaraj was established. They could not think of a free India until Swaraj was established.

The resolution was then put to the vote of the House and declared carried.

#### SUPPORT TO NATIONAL PROGRAMME

Mr. C. Achutha Menon of Travancore then moved the following resolution :

"This Conference reaffirms the resolve of the people of the States to carry on in the States the following items of national work in co-operation with their brethren of British India :—(1) Charka and Khaddar, (2) Boycott of foreign cloth and British

goods, (3) Abolition of liquor trade and (4) contribution of men and money to the national campaign."

#### THE CONFERENCE AND INDIAN STATES

Mr. Visvanath Aiyar of Pudukottah then moved the following resolution :—

"This conference warns the British Government that any conclusions reached as to the future of the Indian States in the absence of the spokesmen of their people, and without reference to their interests and rights, will not be acceptable to the people and cannot serve to promote peace and harmony in the States.

"This conference appeals to the Indian National Congress and all political parties as well as the Indian Princes to abstain from participation in the proposed Round Table Conference or any other body which being meant to consider an All-India constitution, does not contain representatives of the people of the States."

#### CONGRESS AND R. T. C.

The following resolution urging the necessity of the Indian National Congress at the Round Table Conference was moved by the Chair and declared carried :—

"This conference urges upon the British Government and the Indian Princes alike the imperative necessity of their adopting such measures forthwith as will serve to secure the co-operation of the National Congress in the preparation of a Swaraj constitution for the whole of India."

#### PRINCES AND MINISTERS' REPRESENTATION

Mr. Hosakoppa Krishna Rao moved the following resolution :—

"This conference declares the Rulers and Ministers of the Indian States cannot be regarded as the representatives of the people of the States ; this conference strongly repudiates the claim made by some of the 13 Princes and Ministers whose names have so far been reported in the Press as those persons invited to the Round Table Conference, to be representatives of the States and declares that any suggestions or recommendations made by them should not be taken to be the opinions of the people of the States."

In a lengthy Kannada speech Mr. Rao pointed out that Ministers and Princes could not be taken to represent the wishes of the subjects. The idea of federation as conceived by some of the Princes who had given expression to their views was mischievous. The speaker for one would say that the power and prestige of the Princes would be safeguarded by joining the federation. As it was, the Princes were carried away by the Butler Committee recommendations. Princes and the Ministers representing the States, who were invited to the conference were merely nominees of the British Government. Under such circumstances, the speaker would have no hesitation in saying that the Princes and the Ministers had not the backing of the subjects and any resolutions or suggestions could not have the support of the people.

#### SECOND DAY—1st. SEPTEMBER 1930

The second day's proceedings of the Conference began on the 1st SEPTEMBER at 8 a.m. under the presidency of Prof. G. R. Abhayankar.

#### RESOLUTION ON RESPONSIBLE GOVERNMENT

Mr. A. B. Salem of Cochin moved the first resolution of the day. It ran thus :

"This conference emphatically demands the immediate establishment of Responsible Government in the States. This conference resolves to support with all its resources any Government in any particular State for the establishment of Responsible Government there."

In moving the above proposition, Mr. Salem said : "We have been in this country appealing and petitioning. We have come to realise our rights and we are going to demand it. We want immediately Responsible Government. In England, the King cannot make any law of his own. The King reigns but does not rule. The Parliament has got the right and the power. The people's vote is the ultimate source of power for the Government. I want to bring the responsibility away from the voter in England to the voter in India. I want to bring the voter in the State the ultimate source of authority. I want the people in the States the ultimate source

of authority in the State, as it should be. There must be responsible Government. Without that, any kind of constitution, you make in India, will rest upon quick sands and not upon any foundation whatever."

Mr. V. Satyamurti Aiyar of Pudukottah seconded the resolution. He said that subjects of the States wanted Responsible Government in all its implications. Responsible Government meant not the responsibility to an independent organisation or power, but to responsibility to the people. The Executive of a Government should be responsible to a constitutionally constituted legislature. The second point about the responsible Government was the need for an independent judiciary. It should be independent from the Executive. These two points were the pivots upon which Responsible Government should go round. If these two principles were absent then there was no Responsible Government. The demand for Responsible Government implied other rights also viz. liberty of speech, of Press, right of association, etc.

The speaker then pointed out that Responsible Government in the States should be under the aegis of the Ruler. Responsible Government should be established at once, because it was to the good of the ruler and the ruled. The speaker hoped that the future constitution of India would be a federal polity.

#### AN AMENDMENT

Mr. S. K. Venkatramam Iyengar brought in an amendment "That this Conference supports the demand of the people of Mysore for the immediate establishment of Responsible Government for Mysore."

Mr. Achuta Menon wanted to include the State of Travancore also.

Mr. Subrahmanya Aiyar of Pudukottah pleaded for the inclusion of Pudukottah also, pointing out that Pudukottah did not lag behind in its demand for Responsible Government.

Mr. Salem, in opposing the amendment, said that they should take one particular State and concentrate their forces there for the purpose of establishing responsible Government. He would appeal to the delegates to leave aside the consideration of parochial patriotism and work together.

The President also expressed his view that it would be better if the people concentrated their attention in one place and get immediate responsible Government. Then they could do the same thing with other States. The President also referred to the Satyagraha campaign inaugurated by Mahatma Jandhiji and pointed out that the Mahatma also selected one particular place for his campaign.

Another amendment to refer the matter of concentration to a Committee fell through.

The President then put the amendment to the House, and declared it carried. Messrs Subrahmanya Aiyar and V. Satyamurti Aiyar of Pudukottah wanted to know what became of their amendment to include the State of Pudukottah also. The President replied that it fell through. Mr. Subrahmanya Aiyar observed that it was not at all put to vote and as a protest against the procedure of the chair, walked out. They were, however, persuaded to walk in.

Mr. N. Subrahmanya Aiyar, Retired Dewan Peishkar speaking next said that the first part of the resolution relating to the demand of the people for Responsible Government had not been put to vote and as such the discussions on the latter part of the resolutions and amendments thereon were out of order. It was a case of putting the cart before the horse. He said that there was no clear idea of responsible government. The word Government was itself a misnomer. The right word would be protection. What the people wanted both in British India and Indian States was not merely to be policed, but, to be protected in their own land in their livelihood, so that they could live a life of self dependent nation. He pleaded for active efforts being made in the direction of constituting a self-dependent national life when he said self-government and Responsible Government would come as night followed day. He was not one of those who believed that forcing the Government would carry things to any degree.

Before putting the original resolution as amended, i.e., to support the demand of the people of Mysore and Travancore for the immediate establishment of Responsible Government the President made a few remarks, about the meaning of Responsible Government. He quoted Dicey and other great constitutional writers and said the



legal sovereignty should be responsible to the political sovereignty, viz, the people. In India, at the present day, in some States there was nothing like a free press. There was no right to hold meetings etc. One particular State was selected so as to concentrate all available forces, and such a singling out did not throw any reflection on the other States. He appealed to the people to make a start.

The resolution was then put to vote and declared carried.

#### FEDERAL CONSTITUTION

The following resolution was then moved from the chair and after having been seconded and supported, was passed unanimously :

"That this Conference reaffirms the general principles of federal polity contained in the memorandum styled "Dominion constitution for India including the Indian States" adopted by the South Indian States' People's Conference at Trivandrum in 1929, and since adopted by various other public bodies in the States and this Conference recommends that the said Memorandum together with all such changes as are necessitated by the change of conditions in the country to be taken into consideration along with the scheme adopted by the All-India States' People's Conference at Madras and other popular documents in the framing of Swaraj Constitution for India."

Mr. C. N. Narasingha then moved the following resolution :—

"The Conference declares that if Responsible Government is not introduced on or before the 31st December, 1931, it will have to devise necessary sanctions for the enforcement of this demand in such States as may be found ready for action on lines similar to those adopted in the rest of India, subject to such changes in the general programme as may be necessary to suit the different conditions obtaining in these States."

Mr. Hosakoppa Krishna Rao seconded resolution.

Messrs. Ramlal Tiwari, M. S. Ramachar of Kolar and M. Seetharama Sastri supported the resolution, observing that the civil disobedience movement should be started before the end of 1930 if Responsible Government was not conceded. All the speakers wanted that the ultimatum should be given now alone.

Mr. A. B. Salem, in opposing the above resolution, pointed out that they, by passing such a resolution, were only stultifying themselves. They had only a few minutes ago passed a resolution to concentrate all their forces in a particular State and establish Responsible Government. This was no small responsibility. Why had they to wait till 1931. They had to concentrate all their available strength. In such a work, they were up against not only the Ruler of the State, but also against the mighty power of Britain. If the delegates had any sense of duty, he observed, they would carry out the former resolution into action.

The President also associated himself with the views expressed by the previous speaker.

The proposition was then put to vote and declared lost.

The following resolution was next moved by Mr. Hosakoppa Krishna Rao :—

"This Conference declares that until a Prince establishes Responsible Government and enables his peoples to participate directly in the All-India Federal Constitution, he should not be allowed any of the privileges, which the Princes are looking for in connection with any constitutional reforms to be introduced in India hereafter."

Mr. S. R. S. Raghvan seconded the resolution. Mr. P. B. Ramiah opposed the resolution. The resolution was however, carried by a large majority.

#### THE PATIALA ENQUIRY COMMITTEE

Mr. S. R. S. Raghavan moved a resolution which ran as follows :—

"This Conference enters its emphatic protest against the manner in which the memorial submitted to the Governor-General by certain citizens of the Patiala State and the report of the Enquiry Committee of the Indian States' People's Conference of Bombay thereon called, 'The indictment of Patiala' have both been dealt with by the Government of India." Mr. Patwardhan of Poona seconded the resolution.

Prof. Abhyankar then stated that he had not mentioned anything in his Presidential

address on the subject because he was more or less in the position of a concerned party. He would confine himself only to the constitutional aspect of the enquiry. In the first place, the Government ought to have taken up the threads of the inquiry as was done in the case of a police investigation or should have got confirmation through their C.I.D. officers. Secondly, Mr. Fitzpatrick who was appointed to conduct the enquiry was connected with Patiala for a long time. Various grievances had been placed before him in connection with Patiala. His conduct was also indirectly under consideration in the course of this enquiry. The speaker would only ask, what prevented the Government of India from appointing a judicial officer as they did in some other cases such as Nabha. The Patiala Government said that they could not appoint a judicial officer. The enquiry made by public body ought to have been recognised or at least ought to have been treated on a par with a police enquiry. The man who conducted the enquiry ought to have been a judicial authority. There were so many people who were put in prison. These persons were the persons who submitted the memorial. These people were not allowed to give their evidence. In the course of the enquiry conducted by the Committee, it was found that the people were unwilling to give evidence, because they feared much. The members of the Committee had requested that protection should be given to them. But this was not complied with. The members of the enquiry challenged the ruler of Patiala to deny the allegations and even courted prosecution. Not content with the finding that there was no truth in the allegations the Government of India communique said that there was a conspiracy to damn the Maharaja in the eyes of his people on the part of some persons and some public bodies. The terms of the Fitzpatrick enquiry were limited only to the publication of the indictment of Patiala and this statement was beyond the terms of reference of that enquiry. The interpreter in the enquiry was an employee of the ruler and when objection was taken to this procedure, Mr. Fitzpatrick said that he knew the language himself. If this was so, the speaker would ask, where the necessity was for an interpreter.

The resolution was declared carried unanimously.

#### PRESIDENT'S CONCLUDING REMARKS

In concluding the proceedings of the Conference, the President urged the need for an intensive agitation so far as the people of the States were concerned. But he was sorry to note that there was little indication of any enthusiasm, if such enthusiasm could be judged by the audience. He finally appealed to the people to work together and lend every help towards the establishment of Responsible Government in the States.

The Conference then closed.



**मसूरी**  
**MUSSOORIE.**

**This book is to be returned on the date last stamped.**

[illegible]

अवाप्ति संख्या 19513  
 R 954 035- Acc No. 44  
 वर्ग संख्या Ind 1930 पुस्तक संख्या  
 Class No. Book No.  
 लेखक  
 Author  
 शीर्षक  
 Title Discretionary Control of Expenditure  
July-Dec-1930 - V 2

R  
 954-035  
 Ind, 1930

V.2

LIBRARY  
 LAL BAHADUR SHASTRI  
 National Academy of Administration  
 MUSSOORIE

Accession No. 19513

1. Books are issued for 15 days only but may have to be recalled earlier if urgently required.
2. An over-due charge of 25 Paise per day per volume will be charged.
3. Books may be renewed on request, at the discretion of the Librarian.
4. Periodicals, Rare and Reference books may not be issued and may be consulted only in the Library.
5. Books lost, defaced or injured in any way shall have to be replaced or its double price shall be paid by the borrower.